

CONCORDIA HISTORICAL INSTITUTE
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Handbook

of

**THE LUTHERAN CHURCH –
MISSOURI SYNOD**

Constitution
of The Lutheran Church—Missouri Synod

PREAMBLE

Reason for the Forming of a Synodical Union

1. The example of the Apostolic Church. Acts 15:1-31.

2. Our Lord's will that the diversities of gifts should be for the common profit. 1 Cor. 12:4-31.

Article I—Name

The name of the synod organized under this Constitution shall be: THE LUTHERAN CHURCH—MISSOURI SYNOD.

Article II—Confession

Synod, and every member of Synod, accepts without reservation:

1. The Scriptures of the Old and the New Testament as the written Word of God and the only rule and norm of faith and of practice;

2. All the Symbolical Books of the Evangelical Lutheran Church as a true and unadulterated statement and exposition of the Word of God, to wit, the three Ecumenical Creeds (the Apostles' Creed, the Nicene Creed, the Athanasian Creed), the Unaltered Augsburg Confession, the Apology of the Augsburg Confession, the Smalcald Articles, the Large Catechism of Luther, the Small Catechism of Luther, and the Formula of Concord.

Article III—Objects

The objects of Synod are:

1. The conservation and promotion of the unity of the true faith (Eph. 4:3-6; 1 Cor. 1:10) and a united defense against schism and sectarianism (Rom. 16:17);

2. The joint extension of the Kingdom of God;

3. The training of ministers and teachers for service in the Evangelical Lutheran Church;

4. The publication and distribution of Bibles, church books, schoolbooks, religious periodicals, and other books and literature;

5. The endeavor to bring about the largest possible uniformity in church practice, church customs, and, in general, in congregational affairs;
6. The furtherance of Christian parochial schools and of a thorough instruction for Confirmation;
7. The supervision of the ministers and teachers of Synod with regard to the performance of their official duties;
8. The protection of pastors, teachers, and congregations in the performance of their duties and the maintenance of their rights.

Article IV — Powers

Synod shall have legal powers —

1. To purchase, hold, administer, and sell property of every description in the interests of Synod;
2. To accept, hold, administer, and, if deemed advisable, dispose of, legacies, donations, commercial papers, and legal documents of every description in the interest of its work.

Article V — Membership

Membership in Synod is held and may be acquired by congregations, ministers of the Gospel, and teachers of the Evangelical Lutheran Church who confess and accept the confessional basis of Article II.

A. Voting Members

All organized congregations that have joined Synod hold voting membership. At the meetings of the Districts of Synod every congregation or parish is entitled to two votes, one of which is to be cast by the pastor and the other by the lay delegate. At the meetings of Synod a number of congregations shall form a group, which shall be represented by two voting delegates, one a pastor and one a lay delegate.

B. Advisory Members

Advisory members only are the following:

1. Pastors whose congregations do not hold membership in Synod;
2. Assistant pastors;
3. Ministers not in charge of congregations;
4. Professors at Synod's educational institutions;
5. Teachers of parochial schools;
6. Candidates for the office of the ministry or for that of a teacher in the parochial schools.

Article VI—Conditions of Membership

Conditions for acquiring and holding membership in Synod are:

1. Acceptance of the confessional basis of Article II.

2. Renunciation of unionism and syncretism of every description, such as

a. Serving congregations of mixed confession, as such, by ministers of the Church;

b. Taking part in the services and sacramental rites of heterodox congregations or of congregations of mixed confession;

c. Participating in heterodox tract and missionary activities.

3. Regular call of pastors and teachers and regular election of lay delegates by the congregations, as also the blamelessness of the life of such.

4. Exclusive use of doctrinally pure agenda, hymnbooks, and catechisms in church and school.

5. A congregation shall be received into membership only after Synod has convinced itself that the constitution of the congregation, which must be submitted for examination, contains nothing contrary to the Scriptures or the Confessions.

6. Pastors, teachers, or candidates for the office of the ministry or that of a teacher in a parochial school not coming from recognized orthodox church bodies must submit to a colloquium before being received.

7. Congregations, pastors, teachers, or candidates for the office of the ministry or that of a teacher in a parochial school are, as a rule, received at the meetings of the Districts of Synod, but may be received also at the meetings of Synod.

Article VII—Relation of Synod to Its Members

In its relation to its members Synod is not an ecclesiastical government exercising legislative or coercive powers, and with respect to the individual congregation's right of self-government it is but an advisory body. Accordingly, no resolution of Synod imposing anything upon the individual congregation is of binding force if it is not in accordance with the Word of God or if it appears to be inexpedient as far as the condition of a congregation is concerned.*

* For an interpretation of this article see the *Lutheran Witness*, LII, 163 (May 9, 1933), or *Lutheraner*, 89, 9 (May 2, 1933), page 148. For resolution cf. *Syn. Proc.*, 35 (1932), 162; 39 (1944), 203—207; *By-Laws*, 1.09 b.

Article VII — Synodical Meetings**A. Time and Legality of Meetings**

1. Synod convenes every three years for its regular meeting.

2. For a legal convention a constitutional convocation of the meeting and the presence of at least one fourth of the constitutionally elected voting representatives is necessary.

B. Special Sessions of Synod

1. Synod may, under circumstances, call a special session if two thirds of the voting representatives present so decide.

2. In cases of urgent necessity a special session may be called by the President with the consent of two thirds of the District Presidents or by three fourths of the District Presidents without the consent of the President; however, all congregations and other members of Synod must be notified thirty days in advance and told for what purpose this extra meeting is being convened.

C. Resolutions at Synodical Meetings

All matters of doctrine and of conscience shall be decided only by the Word of God. All other matters shall be decided by a majority vote. In case of a tie vote the President may cast the deciding vote.

Article IX — Representation

The synodical meetings are composed of regularly elected and delegated representatives and of certain individual persons, as specified in the By-Laws, to wit:

1. Representatives of congregations, entitled to vote;

2. Advisory representatives of the advisory members of Synod;

3. Advisory representatives of boards, commissions, and educational institutions and such as by virtue of their office are required to attend Synod.

Article X — Officers**A**

The officers of Synod are:

1. A President;

2. Vice-Presidents, as prescribed by the By-Laws;

3. A Secretary;

4. A Treasurer;
5. A Board of Directors;
6. Other officers, as specified in the By-Laws.

B

1. The President, the Vice-Presidents, and the Secretary must be ministers of the Church and, like the Treasurer and the members of the Board of Directors, members of voting congregations.

2. The time of service of all the officers of Synod extends from one regular session of Synod until the next or until their successors have been elected and have entered upon their respective offices.

3. Any officer or any member of any board or commission ceases to be an officer of Synod or a member of any board or commission as soon as he ceases to be a member of a congregation affiliated with Synod.

Article XI — Rights and Duties of Officers

A. In General

1. The officers of Synod must assume only such rights as have been expressly conferred upon them by Synod, and in everything pertaining to their rights and the performance of their duties they are responsible to Synod.

2. Synod at all times has the right to call its officers to account and, if circumstances require it, to remove them from office in accordance with Christian procedure.

3. Synod reserves the right to abolish any office it has established.

4. Conventions of Synod and of the Districts have the right, in extraordinary cases, to elect a chairman other than the regular presiding officer.

B. Duties of the President

1. The President has the supervision regarding the doctrine and the administration of

- a. All officers of Synod;
- b. All such as are employed by Synod;
- c. The individual Districts of Synod;
- d. All District Presidents.

2. It is the President's duty to see to it that all the aforementioned act in accordance with Synod's constitution, to admonish all who in any way depart from it, and, if such admonition is not heeded, to report such cases to Synod.

3. The President has, and always shall have, the power to advise, admonish, and reprove. He shall conscientiously use all means at his command to promote and maintain unity of doctrine and practice in all the Districts of Synod.

4. The President shall see to it that the resolutions of Synod are carried out.

5. At the sessions of Synod the President shall
a. Conduct the meetings and have a care that all things be done in a Christian way and in accordance with the Constitution of Synod;

b. Give an accurate report to Synod of his administration.

6. The President shall sign the official papers and documents in the name of Synod.

7. It is the duty of the President to be present also at the meetings of the Districts, to advise them, and to report at the next session of Synod.

8. The President shall perform all additional duties which Synod may enjoin upon him through its By-Laws or by special resolution.

9. When business matters that permit of no delay turn up between conventions of Synod, the President is authorized to submit them to a vote of the congregations by means of the official synodical organs. In such cases at least one fourth of the synodical congregations must register their vote.

C. Duties of the Vice-Presidents

1. The Vice-Presidents shall, upon request of the President, represent him in all his functions.

2. In case of the disability, the deposition from office, or the death of the President, the Vice-Presidents, in the order of their rank of office, advance to the President's place, with full power, until the expiration of his term of office.

D. Duties of the Secretary

The Secretary shall

1. Record the proceedings during the synodical conventions;

2. Draw up and sign the official papers and documents of Synod;

3. Perform such other work as Synod may enjoin upon him through its By-Laws or by special resolution.

E. Duties of the Treasurer

The Treasurer is the custodian of all moneys and valuable papers of Synod and shall

Keep an exact record of all money received and expended by Synod;

2. Administer Synod's financial affairs according to its instruction;

3. At any time submit to an examination of his books and accounts by an auditing committee when so ordered by Synod or its officers.

F. Duties of the Board of Directors

1. The Board of Directors shall consist of not fewer than seven members, to wit: the President, the Secretary, the Treasurer, one pastor, and three laymen.*

2. The members of the Board of Directors are the legal representatives of Synod and the custodians of all property of Synod, and upon them are incumbent the general management and supervision of all the business affairs of Synod.

Article XII—Districts of Synod and Their Regulation

1. Synod is divided into Districts, the geographical boundaries of which are determined by Synod and are altered by it according to circumstances.

2. This Constitution is also the constitution of each District of Synod; however, each District is at liberty to adopt such by-laws and pass such resolutions as it deems expedient for its conditions, provided that such by-laws and resolutions do not conflict with the Constitution and the By-Laws of Synod.

3. The officers of the Districts are:

a. A District President;

b. District Vice-Presidents, as the By-Laws prescribe;

c. As many Visitors as each District may determine upon;

d. A District Secretary;

e. A District Treasurer.

4. Additional officers, boards, and commissions are elected by the Districts as they are required for the execution of the business of the Districts.

5. The election of the District officers always takes place in the year following the regular session of Synod.

6. All officers of the Districts have the same

* Synod in 1929 increased the membership of the Board from seven to nine members, adding one pastor and one layman to the Board. 34 (1929), 184.

rights and duties as those outlined in the Constitution for the officers of Synod, but only in so far as these apply to the District and only within the boundaries of their Districts.

7. The District Presidents shall, moreover, especially exercise supervision over the doctrine, life, and administration of office of the pastors and teachers of their District and acquaint themselves with the religious conditions of the congregations of their District. To this end they shall visit and, according as they deem it necessary, hold investigations in the congregations. Their assistants in this work are the Visitors, who therefore shall regularly make their reports to the District President.

8. In accordance with the By-Laws of Synod the District Presidents are empowered to suspend from membership, until the next regular meeting of Synod,* pastors, be they voting or merely advisory members of Synod, as also professors and teachers, for persistently adhering to false doctrine or for having given public offense by an ungodly life, and also to publish such proceedings.

9. Furthermore, the District Presidents shall

a. See to it that all resolutions of Synod which concern the Districts are made known to the Districts and are carried out by them;

b. Submit an annual report of their administration to the President of Synod and, in general, permit him to obtain all necessary insight into their official activities as District Presidents;

c. Perform, either in person or by proxy, the ecclesiastical ordination of the candidates for the ministry assigned to their Districts, the installation of such, as well as the installation of the candidates for the office of schoolteacher and of all ministers and teachers called by the congregations in their Districts;

d. Sign all examination papers and certificates of ordination and, in general, all official papers and documents of their District.

10. The meetings of the Districts of Synod are composed of the following:

A. Voting Representatives

The pastors of such congregations as hold voting membership in Synod and the lay delegates elected and deputed by these congregations shall be voting representatives.

* See By-Laws, 5.31 and 5.93.

Advisory members are:

- a. Pastors whose congregations do not hold membership in Synod;
- b. Assistant pastors;
- c. Ministers without a charge;
- d. Professors at the educational institutions;
- e. Teachers of parochial schools;
- f. Candidates for the office of the ministry or for the office of parochial schoolteacher.

11. The Districts, when legally incorporated, are represented before the State by a Board of Directors composed of the President, the Secretary, and the Treasurer of the District, which Board, however, may be constituted otherwise.

12. The Districts are independent in the administration of affairs which concern their District only, it being understood, however, that such administration shall always serve the interests of Synod.

13. The regular sessions of the Districts are held in those years in which no regular session of Synod is held. Only Synod has the right to make an exception to this rule.*

14. For the legal holding of the sessions of the Districts a constitutional convocation of such sessions and the presence of at least one third of the voting members represented by at least one of their respective representatives (pastor or lay delegate), are required.

15. In cases of urgent necessity the District President is empowered to convene special sessions of his District; he must, however, previously have obtained consent of at least a majority of the voting members of the District after having informed them and the President of Synod of the purpose of the intended special session.

Article XIII — Expulsion from Synod

1. Members who act contrary to the confession laid down in Article II and to the conditions of membership laid down in Article VI or persist in an offensive conduct, shall, after previous futile admonition, be expelled from Synod.

2. Such expulsion is executed, as a rule, by the

* Permission was granted to the South American Districts to meet also in those years in which the Delegate Synod convenes. 34 (1929), 124.

District or Synod, yet those so expelled have the right of appeal to Synod.

3. If the member expelled is a pastor or teacher in a congregation of Synod, such congregation, unless it has already done so, is held to depose him from office and to deal with him in accordance with the Word of God, notwithstanding an appeal. If it persistently refuses to do so, the respective District is to deal with it. If all negotiations and admonitions fail of their purpose, such congregation forfeits its membership in Synod.

4. Because of their expulsion those so expelled forfeit their membership and all share in the property of Synod. The latter holds good also with respect to those who for any reason themselves sever their connection with Synod.

Article XIV—Changes in, and Amendments to, the Constitution

1. Changes in the Constitution and amendments thereto may be made provided they do not conflict with the provisions laid down in Article II and in Article VI.

2. All proposed changes and amendments must be submitted in writing to Synod assembled in convention, and each proposed change shall be voted on separately. A two-thirds majority of all votes cast shall be necessary for adoption.

3. After adoption by the convention such amendments shall be submitted to the congregations of Synod by means of three announcements in the official synodical organs within three months after the close of the convention.

4. Unless one third of the congregations in voting membership in Synod files a vote of dissent with the Secretary of Synod within a period of six months following the date of the final official publication, such amendment shall become effective at such time. At the expiration of this period of time the Secretary of Synod shall announce in the official organs of Synod whether or not such amendment is effective.

5. In case fewer than one third of the number of congregations vote against the change, the names of dissenting congregations should be published.

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XIV. AMENDMENTS TO BY-LAWS

14.01 How Made

By-Laws to the Constitution**of The Lutheran Church—Missouri Synod****I. SYNODEICAL ORGANIZATION****A. MEMBERSHIP****1.01 Application and Reception**

Applications for membership in Synod may be acted upon in the convention of Synod or of any District of Synod.

1.03 Signing Constitution

All members of Synod shall sign the Constitution of Synod in open session at the first convention of the District which they attend. The duly elected lay delegate of a newly received congregation shall sign the Constitution as the representative of his congregation. The District Secretary shall obtain the signatures to the Constitution in a book provided for this purpose. The District Secretary shall note, opposite the signatures, the year in which a member is received or relinquishes membership or is transferred to another District of Synod. The District President shall keep the Secretary of his District informed of transfers into and out of the District so that entries can be made upon the records of his District.

1.05 Duties of Members

Every member of Synod shall, in accordance with his vocation, his ability, and the means at his command, diligently and earnestly promote the purposes of the synodical organization.

1.07 Duties of Advisory Members

Advisory members of Synod shall attend the District conventions. They shall not be elected by any congregation or by any group of congregations as lay delegates to a synodical convention, nor shall they be accredited as such. Former pastors and teachers who are regularly engaged in a secular calling shall no longer be considered advisory members.

1.09 Relation of Synod to Its Members

a. The Constitution, By-Laws, and all other rules and regulations of Synod apply to all mem-

bers of Synod, i.e., to all congregations, pastors, professors, and teachers. Synod expects such congregations as have not yet been received into membership, but are served by Synod, and whose pastors and teachers hold membership in Synod to honor its rules and regulations.

b. Synod expects every member congregation to respect its resolutions and to consider them of binding force if they are in accordance with the Word of God and if they appear expedient as far as the condition of the congregation is concerned. Synod, being an advisory body, recognizes the right of the congregation to be the judge of the expediency of the resolution as applied to its local condition. However, in exercising such judgment, a congregation must not act arbitrarily, but in accordance with the principles of Christian love and charity.

c. Membership of a congregation in Synod gives Synod no equity in the property of the congregation.

1.11 Constitutions of Congregations

a. A congregation which applies for membership in Synod shall, two months prior to the convention of Synod or of the respective District of Synod, send its constitution to the District President, who shall refer it to a standing committee of the District. This Committee shall examine the constitution to ascertain whether its provisions are in harmony with Scripture and the teachings and practices of Synod in order that any necessary changes may be made by the congregation before the District or Synod convenes. A congregation shall not hold membership until it has made such changes as Synod may have deemed necessary and has so notified the District President.

b. A member congregation which translates, revises, or amends its constitution or adopts a new constitution shall submit such translation, revision, amendment, or new constitution for examination and approval in the manner prescribed in Par. 1. 11, a.

B. SYNODICAL CONVENTIONS — PROCEDURE

1.23 Convention Preachers

The President shall appoint the convention preachers prior to the convention of Synod. The President, or one of the Vice-Presidents appointed by him, shall preach at the opening service.

1.25 Organization, Reports, Memorials

The convention shall organize at its first session on the basis of the registration and the report of the Committee on Credentials. The President shall then make his presidential address, submit his official report, and announce the order of business. All matters to come before the convention shall, as a rule, be presented to the President in writing ten weeks prior to the convention. He shall decide which of these matters shall be published in the Book of Reports and Memorials, a copy of which shall be mailed four weeks prior to the convention of Synod to each pastor and teacher of Synod and to each elected lay delegate. However, all memorials or overtures sent to the President shall be submitted to Synod through one of its convention committees.

1.27 Convention Committees

The President shall refer all matters which are to be presented to Synod to committees appointed by him from among the accredited delegates and official representatives in order to expedite the transaction of business. After due consideration of the matters referred to them, these committees shall report their findings and recommendations to Synod. If the President deems it advisable, he shall be empowered to convene any such committees prior to the opening of the convention. Every member of Synod shall have the right to object to any appointment made to such committees. There shall be adequate lay representation on all committees.

1.29 Parliamentary Rules

The President shall conduct the sessions of Synod according to accepted parliamentary rules and shall so arrange the schedule of business that the sessions of Synod do not extend beyond ten business days.

1.31 Order of Business

The President shall, at the first session and during the course of the succeeding sessions of Synod, announce the order of business for the following days.

1.33 Daily Minutes

Brief daily minutes shall be read at synodical conventions.

All duly elected delegates and advisory members shall attend all sessions regularly until the close of the convention. Delegates who arrive late or leave early or who do not attend at all shall present a written excuse.

1.37 Distribution of Official Proceedings

A printed copy of the Official Proceedings of each convention shall be mailed by Concordia Publishing House to every pastor in Synod for the information and use of the pastor and the members of his parish. The cost shall be paid by Synod.

1.39 Time and Place of Next Convention

Before adjournment, Synod shall decide upon the time and place of the next convention. If Synod fails to do this, the President shall do so. In case of necessity he may change the appointed time and place of meeting.

C. SYNODICAL CONVENTIONS REPRESENTATION

1.51 Electoral Circuits of Member Congregations

An electoral circuit shall comprise from ten to fifteen member congregations. Each electoral circuit shall be represented by one pastor and one layman. Large congregations shall form small circuits, and small congregations shall form large circuits. A fractional portion remaining after the circuits have been formed shall be entitled to the same representation as a complete circuit.

1.53 Election of Delegates to Convention

Delegates and their alternates shall, as a rule, be selected by the representatives of the respective electoral circuits at the convention of the District preceding the convention of Synod. Whenever the delegates thus elected leave the electoral circuit or are prevented from attending the synodical conventions, the electoral circuit shall fill the vacancy. In case the representatives of such circuits authorize one of their congregations to elect the lay delegates for the respective circuit, such lay delegates must present to Synod credentials signed by the pastor and two officers of their local congregation. The publication in the District *Proceedings* of the names of the delegates or the alternates chosen by the electoral circuit shall be sufficient evidence of election. If these proceedings

have not been printed or if in the meantime changes have become necessary, the certification of election by the District Secretary shall entitle the delegates to recognition by Synod, provided every lay delegate presents credentials as aforesaid.

1.55 Delegates not Bound by Instructions

Congregations shall not require their delegates to vote in accordance with specific instructions, but every delegate shall be permitted to vote according to his own conviction.

1.57 Electoral Circuits of Advisory Members

Every circuit of approximately twenty advisory pastors and approximately twenty teachers of Lutheran elementary and secondary schools shall be entitled to one representative. These selections shall, as a rule, be made at the convention of the District preceding the convention of Synod. Any fractional portion remaining shall be entitled to the same representation as a complete circuit. The registered name in the printed *Proceedings* of the District or the certification by the District Secretary shall entitle the elected representative to recognition by Synod.

1.59 Other Advisory Representatives

a. The Vice-Presidents of Synod, all District Presidents, and all full-time executives of Synod shall attend the conventions of Synod *ex officio*.

b. The faculty of each of Synod's educational institutions shall be represented at the convention of Synod by its president and one other member whom the faculty shall elect. The Seminary at St. Louis shall be represented by its president and as many members of its faculty as the faculty may deem necessary; however, each member of the faculty shall attend the conventions of Synod at least every nine years. The Seminary at Springfield and the teachers' colleges shall be represented by their president and two faculty members elected by the faculty.

c. All boards, commissions, and committees of Synod shall be represented at the conventions of Synod by at least one of their members.

1.61 Rights of Advisory Members

Advisory members of Synod shall be entitled to the floor and may express their opinion the same as voting members. They may submit over-

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tures to Synod and may request voting members of Synod to submit resolutions for them in order that matters in which they are interested may be presented to Synod in the regular manner. They shall be eligible to membership on committees and to offices of Synod, unless otherwise specified.

D. SYNODICAL CONVENTIONS ARRANGEMENTS

1.73 Committee on Arrangements

The President of Synod shall appoint a Committee on Arrangements, consisting of not fewer than nine members, of whom at least one should be chosen from the group of men that constituted the arrangement committee for the preceding convention. This committee shall be appointed as soon as possible after each general convention.

1.75 Expenses

- a. Synod shall bear one half of the net cost of the convention, and the host congregations shall bear the remaining one half.
- b. Synod's part of the expenses shall be raised by a levy of one half cent (\$.005) per communicant member, each District to decide how it will raise its proportionate share. The District Treasurer shall remit the share of his District to the Treasurer of the Committee on Arrangements not later than the month of March before the convention.
- c. The congregations which are host to the convention shall be exempt from this levy.

1.77 Traveling Expenses, Lodging, and Meals

- a. All traveling expenses, lodging, and meals of synodical officials, delegates, and representatives shall be paid by Synod, the Districts, the boards, the circuits, or the commissions which are represented by the respective delegates or representatives. The expenses of District Presidents shall be paid by Synod. The Committee on Arrangements shall arrange for lodging at hotels, dormitories, or in private homes, and also provide for joint meals while the convention is in session. Rates for lodging and meals shall be established and published by the Committee on Arrangements, and the delegates and representatives shall pay the established rates for lodging and meals when registering prior to the opening of the convention.

The Committee on Arrangements shall provide pre-convention housing and meeting facilities for committees which must meet before the convention opens. The President of Synod shall designate such committees and shall so notify the Committee on Arrangements. All expenses incurred by such pre-convention committee meetings shall be borne by Synod.

II. SYNODEICAL ADMINISTRATION

A. OFFICERS AND BOARDS

2.01 Elective Officers

The elective officers of Synod shall be a President, four Vice-Presidents, a Secretary, and a Treasurer.

2.03 Elective Boards

The elective boards of Synod shall be

- A Board of Directors
- A Board of Control for each educational institution
- A Board for Missions in North and South America
- A Board for Missions to the Deaf
- A Board for Missions to the Blind
- A Board for Missions in Europe
- A Board for Missions in Foreign Countries
- A Church Extension Board
- A Board for Parish Education
- A Board for Young People's Work
- A Student Service Commission
- A Board of Appeals
- A Board for Support and Pensions
- A Board of Directors for Concordia Publishing House
- A Board for Visual Education

2.05 Appointive Officers and Boards

All other officers, boards, commissions, and committees of Synod shall be appointed as follows:

- a. By the President, in conjunction with the Vice-Presidents:
 - A Secretary of Missions
 - A Committee on Constitutional Matters
 - An Armed Services Commission
 - A Literature Board
 - A Young People's Literature Board

- A Press Committee
- A Radio Committee
- A Lodge Information Bureau
- A Finnish Relations Committee
- An Advisory Committee in Matters of Doctrine and Practice
- A Sunday School Teacher Training Committee
- b. By the Board of Directors:
 - An Assistant Treasurer
 - An Auditor
 - A Director of Publicity and Missionary Education
 - A Statistician and Chronicler
 - A Transportation Secretary
 - A Committee on Church Architecture
 - A Valparaiso Advisory Committee
 - A Board of Trustees of Synodical Trust Funds
 - A Board for Relief
 - A Board for Public Relations
- c. By the President, in conjunction with the Vice-Presidents, subject to the approval of the District Presidents:
 - A Board for Higher Education

2.07 Term of Office

The term of office for all officers, boards, commissions, and committees of Synod shall be three years.

2.09 Salaried Executives Without Vote

Salaried executives shall not be voting members of the board, commission, or committee under which they serve.

2.11 Organization of Boards, Commissions, and Committees

All boards, commissions, and committees shall organize at the first meeting after their election or appointment and shall conduct their business in accordance with accepted parliamentary rules.

2.13 Accountability of Officers, Boards, Commissions, and Committees

All officers, boards, commissions, and committees shall be accountable to Synod for all their transactions, and every decision of such board, commission, and committee may be appealed to Synod.

No one, either in Synod or in a District, or between Synod and a District, shall hold more than one elective office; or more than two offices, although one or both be appointive; or ever hold two offices of which one is directly responsible for the work done by the other. Doubtful cases shall be decided by the President of Synod.

B. THE PRESIDENT OF SYNOD

2.27 Supervision by the President

a. The President, in exercising supervision over the doctrine taught in Synod and over the administration of all officials and employees of Synod, shall at regular intervals officially visit or cause to be visited all the educational institutions of Synod, and he shall receive reports from the District Presidents.

b. The President, since he must frequently be represented at District conventions by the Vice-Presidents, shall meet with the Vice-Presidents for common counsel and concerted action concerning matters which Synod must present to the various Districts.

c. The President shall consult with the Vice-Presidents whenever important and difficult synodical and intersynodical questions and problems arise.

2.29 Advisory and Executive Functions

a. The President shall upon request give counsel and advice to such as are under his supervision. He shall exercise executive power only when the affairs of Synod demand it and when he has been expressly invested with such power for such specific purpose. Any member of Synod shall have the right to appeal from his action to Synod.

b. The President, in the interval between conventions, shall appoint special boards or committees whenever the purpose for which Synod has been organized requires, or when conditions arising in the course of time demand such action.

c. The President shall make an official report to Synod at each convention.

d. The President shall approve the manuscript of convention proceedings before they are published by the Secretary.

The President, being a full-time executive, shall not be in charge of a congregation nor hold a chair at any educational institution, but may be called as an assistant pastor, provided that such services do not interfere with his official duties as President.

C. THE VICE-PRESIDENTS OF SYNOD

2.33 Succession to Presidency

The Vice-Presidents shall, in the order in which they have been elected, perform the duties of the President in the event that the President's office is vacated or the President becomes incapacitated.

2.35 Relation to President

The Vice-Presidents shall, upon request of the President or as may be provided by Synod, advise, assist, or represent the President.

2.37 Vacancies

A vacancy in any Vice-Presidency shall be filled by advancing the lower-ranking Vice-Presidents. The remaining vacancy shall then be filled by the President from the reserve list of nominations, that is, from the nominees left after the previous election according to the number of votes received.

D. THE SECRETARY OF SYNOD

2.39 Publication of Convention Proceedings

The Secretary shall publish the proceedings of the conventions. He shall prepare the manuscript, recording all resolutions in the wording in which they were adopted by Synod, and publish the proceedings after the President has approved the manuscript.

2.41 Notifications of Elections and Resolutions

The Secretary shall notify every member of Synod elected to office of his election. Immediately upon the close of the synodical convention the Secretary shall report officially to all boards and committees of Synod all resolutions concerning them, in order that the execution of any resolutions may not be deferred until the proceedings have been published.

The Secretary shall daily announce the time and place of committee meetings at conventions of Synod.

E. THE TREASURER OF SYNOD

2.45 Shall Be a Layman

The Treasurer shall be a layman elected by Synod.

2.47 General Duties

The Treasurer shall administer his office in accordance with the rules and regulations adopted by Synod and as directed by Synod's Board of Directors. He shall receive and disburse Synod's moneys and keep accurate account of them under instructions of the Board of Directors.

2.49 Authority to Borrow Money

The Treasurer shall be authorized to borrow money in the name of Synod, provided the Board of Directors has first determined the amounts and the conditions under which such moneys shall be borrowed.

2.51 Depositary

The Treasurer shall act as the depositary for all funds in the hands of Synod's boards, commissions, officers, and employees, who by virtue of their office act as custodians or trustees of such funds.

2.53 Trust Officer

a. The Treasurer shall be *ex officio* the Trust Officer of Synod.

b. He shall keep on file a correct list of all devises and bequests which directly or indirectly have been given to Synod. In such list there shall be recorded the name of the testator, the amount of money or the real estate (including description) devised or bequeathed, the stipulations of the will, if such have been made by the testator, and the name of the executor or executors. New legacies and bequests made to Synod, to its institutions and for any of its activities, shall be reported to the Treasurer as soon as possible.

c. He shall at every convention of Synod render a report and a financial statement regarding all legacies which he administers and also respecting such legacies concerning which executors have reported to him.

2.55 Reports in the Official Organs

The Treasurer shall publish monthly in the *Lutheran Witness* and *Der Lutheraner* the accumulated amounts received from the respective District Treasurers during the current fiscal year.

2.57 Safe-Deposit Boxes

The Treasurer shall rent such adequate safe-deposit boxes in the name of Synod as may be approved by the Board of Directors. Synod's bonds and other negotiable securities shall be stored in such boxes. Access to these boxes shall be regulated by the Board of Directors.

2.59 Fireproof Vaults

Synod's books and records and its non-negotiable securities shall be deposited in fireproof vaults provided by Synod.

F. THE BOARD OF DIRECTORS OF SYNOD

2.71 Membership

The Board of Directors shall be constituted as follows: The President, the Secretary, the Treasurer of Synod by virtue of their office, and two pastors and four laymen to be elected according to Synod's rules. No person salaried by Synod shall be elected to the Board.

2.73 Vacancies

The Board of Directors shall be authorized to fill any vacancies in its membership for the unexpired term.

2.75 Authority

The Board of Directors shall be the legal representative of Synod and the custodian of Synod's property. It shall be vested with the general management and supervision of Synod's business affairs.

2.77 Meetings

The Board shall meet not fewer than four times a year and shall keep accurate minutes of its proceedings. A majority of the Board members shall constitute a quorum.

a. The Board of Directors shall prepare the annual budget of Synod and submit it to the Fiscal Conference for final action.

b. The Board of Directors shall balance the budget as nearly as possible and shall be authorized to do any and all things necessary or expedient to accomplish this end.

c. The Board of Directors alone shall have power to authorize various boards to solicit money beyond their budgets.

d. The Board of Directors shall regulate the collection of moneys from congregations and in Synod at large beyond the confines of any one District. No individual, congregation, or private organization shall solicit moneys in Synod at large without the consent of the Board of Directors. This rule shall not be construed to interfere with District or local financial undertakings, provided that the collection of moneys shall be confined to the District or the respective area.

e. The Board of Directors shall cause regular audits to be made of all departments, boards, committees, and activities of Synod and shall cause examinations to be made of the books and records of all subsidized Districts, so far as these may relate to the subsidies received from Synod. It may at any time cause an audit to be made of any department, board, committee, or activity of Synod, independent of the audits hereinbefore provided.

f. The Board of Directors, in consultation with the respective boards, commissions, and committees, shall work toward uniformity in matters of the remuneration and conditions of employment of all employees of Synod and its various agencies whose salaries or wages are not fixed by Synod.

g. The Board of Directors shall determine the amount of the bond to be furnished by all officers of Synod in fiduciary capacities. The premium shall be paid by Synod.

h. The Board of Directors shall have charge of all of Synod's real and personal property and shall hold and manage such property in accordance with the instructions of Synod.

i. The Board of Directors shall in accordance with the instructions of Synod authorize the erection of any building on property owned or controlled by Synod or permit the purchase of any

property only when the entire sum necessary for such building or property has been paid into the treasury of Synod.

j. The Board of Directors shall pass on all plans submitted by boards of Synod for new buildings and remodeling of old buildings. It shall approve the location of any building erected on property belonging to Synod.

k. The Board of Directors shall consider all requests for the establishment of new institutions, relocation of old institutions, and appropriations for new buildings, extensive remodeling, or the purchase of additional property, and submit its recommendations to Synod. Whenever Synod has made appropriations for any of the above-mentioned purposes, the Board shall direct that these resolutions be carried out and shall determine the order in which this shall be done.

l. The Board of Directors may erect or purchase the necessary professors' residences and may borrow the money to pay for them. The interest and principal shall be repaid with the moneys which would ordinarily be expended for rentals.

m. The Board of Directors shall be held responsible for the repairs, maintenance, and minor improvements of Synod's property.

n. The Board of Directors shall maintain an inventory of all property of Synod.

o. The Board of Directors shall be authorized and empowered to sell, barter, exchange, or trade any real or personal property not adjacent to, or a part of, any of Synod's college or seminary properties of which Synod may find itself possessed and which real estate or personal property in the opinion of the Board of Directors would be of no direct use or benefit to Synod in the pursuit of its constitutional objectives, at such price or consideration and upon such terms and conditions as in the opinion of the Board of Directors would best serve the interest of Synod.

p. The Board of Directors shall have the right to appoint subcommittees from its midst and define their duties.

q. The Board of Directors shall appoint an office head who shall be charged with the management and supervision of Synod's offices.

r. The Board of Directors shall be authorized to draw on the Treasury of Synod for its expenses.

g. The Board of Directors shall report annually and as often as it may deem necessary on its work and on the needs of Synod in the official organs of Synod. It shall attend the conventions of Synod and shall submit a detailed report.

G. OTHER EXECUTIVE OFFICERS AND COMMITTEES

2.91 Assistant Treasurer

An Assistant Treasurer shall be appointed by the Board of Directors. He shall perform such duties as are assigned to him by the Treasurer, to whom he shall be responsible.

2.93 Auditor

An Auditor shall be appointed by the Board of Directors. He shall perform such duties as are assigned to him by the Board of Directors, to which Board he shall be responsible.

2.95 Director of Publicity and Missionary Education

A Director of Publicity and Missionary Education shall be appointed by the Board of Directors. He shall perform such duties as are assigned to him by the Board of Directors, to which Board he shall be responsible.

2.97 Statistician and Chronicler

a. A Statistician shall be appointed by the Board of Directors. The Statistician shall gather the statistics of Synod and annually publish them in the *Statistical Yearbook* in tabulated form. He shall decide upon the blank forms to be used in collecting the necessary material. All pastors, officers, boards, etc., within Synod shall furnish him the data requested. No one shall circularize Synod for the purpose of compiling statistics without first having consulted the Statistician.

b. The Statistician shall also act as Chronicler. He shall make a brief chronological record of the most important events, movements, and controversies within the Lutheran Church in America as well as of the influences exerted upon it from without, which record in form shall be a continuous history of the Lutheran Church in America. He shall make an annual record of the most important events in the history of Synod.

A Transportation Secretary shall be appointed by the Board of Directors for a term of three years, and shall be responsible to this Board. He shall represent the interests of Synod at the various transportation offices throughout the country, and he shall always be guided by the interests of Synod as a whole. He shall appoint as many assistants as he needs, shall give them the necessary instructions, and shall publish their names.

2.101 Committee on Church Architecture

A Committee on Church Architecture shall be appointed by the Board of Directors. It shall consist of five persons. The Committee shall, when requested, advise congregations which intend to erect or remodel church buildings, especially when they request financial assistance from Synod for their building operations. The Committee shall also give advice with respect to the building of schools and parish halls, and the installation of organs, bells, and other church equipment.

2.103 Valparaiso Advisory Committee

An Advisory Committee for Valparaiso University, consisting of two pastors and one layman, shall be appointed by the Board of Directors. One member of this Committee shall be a member of said Board. This Committee shall serve Valparaiso University in a consultative capacity.

2.105 Committee on Constitutional Matters

a. A Committee on Constitutional Matters shall be appointed by the President in conjunction with the Vice-Presidents. It shall consist of four members, one of whom shall be the Secretary of Synod, *ex officio*. At conventions of Synod this Committee shall be represented at the meetings of the Committee appointed to consider Constitutional Matters. Any overtures made to Synod asking for changes of, or amendments to, the Constitution of Synod or which in any manner affect the Constitution or By-Laws, shall be submitted to this Committee in order that it may examine their contents and language as to their agreement with the Constitution and By-Laws of Synod. The Committee shall submit legal questions to an attorney for advice. Immediately after each convention of Synod, this Committee shall amend

the *Synodical Handbook* in harmony with the resolutions adopted by the convention.

b. This Committee shall also interpret the Constitution and By-Laws in cases of controversy.

2.107 Committee on Finnish Relations

A Committee on Finnish Relations, consisting of three pastors, shall be appointed by the President in conjunction with the Vice-Presidents. It shall foster fraternal relations on a Scriptural basis with the National Evangelical Lutheran Church (Finnish).

2.109 Advisory Committee on Doctrine and Practice

a. An Advisory Committee in matters of Doctrine and Practice, consisting of five pastors in the active ministry, shall be appointed by the President in conjunction with the Vice-Presidents. The President may refer to this Committee for adjustment matters of doctrine and practice concerning which differences of opinion have arisen in Synod. The functions of this Committee shall be strictly advisory along the line of brotherly effort in the interest of divine truth and of confessional and synodical correctness.

b. While admitting the right of free expression and of public appeal as an inherent right of its members, Synod urges and requests its members to refrain from circularizing Synod, or large areas thereof, until this Committee shall have been consulted and a reasonable time shall have been accorded to adjust the matter concerned.

2.111 Sunday School Teacher Training Committee

A Committee on Sunday School Teacher Training consisting of six members shall be appointed by the President of Synod in conjunction with the Vice-Presidents. It shall provide adequate material for the training of Sunday school teachers.

H. ELECTIONS OF OFFICERS AND BOARDS

2.121 Committee on Elections

A Committee on Elections shall be appointed by the President prior to the convention of Synod. The Committee shall make the necessary provisions for elections and shall conduct and supervise the elections according to Synod's regulations.

2.123 Order of Election of Executive Officers

The President, the Vice-Presidents, the Secretary, and the Treasurer shall be elected in the order here given.

2.125 Majority and Plurality of Votes

A majority of all votes cast shall be required to elect the President, the Vice-Presidents, the Secretary, and the Treasurer, and the elective members of the Board of Directors. For all other elections a plurality is sufficient.

2.127 Primary Election for President

Nominations for the office of President shall be by primary election. Each voting delegate shall be entitled to one nomination for the office of President.

2.129 Candidates for the Office of President

Candidates for the office of President shall be the five persons who receive the largest number of votes in the primary election, even though a candidate receives a majority.

2.131 Ballots for Presidential Election

Ballots shall be printed after the candidates have been nominated, and the election shall be held in a later session under the supervision of the Committee on Elections.

2.133 Election of President

If no candidate receives a majority vote on the first ballot, the name of the candidate who receives the smallest number of votes shall be stricken from the list, and a new ballot shall be taken. This procedure shall be continued until one candidate has received a majority of the votes cast.

2.135 Primary Election for Vice-Presidents

The primary election for the nomination of candidates for the offices of Vice-Presidents shall be held after the President has been elected. Each delegate shall be entitled to one nomination for each Vice-President.

2.137 Election and Ranking of Vice-Presidents

The ballot for the election of Vice-Presidents shall contain three times as many names as there are Vice-Presidents to be elected. The ~~names~~ of

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those candidates who have received the greatest number of votes at the primary shall be placed on the ballot. A majority of votes being needed for this election, names shall, if necessary, be stricken and a new ballot taken until a majority vote has been obtained for each of the Vice-Presidents. After the Vice-Presidents have been elected, another ballot shall be taken to determine their rank. On this ballot the voters shall indicate by numerals their choice of First, Second, Third, and Fourth Vice-Presidents. The tallying of the ballots shall proceed on a point system, four points being counted for each vote for First Vice-President, three points for each vote for Second Vice-President, two points for each vote for Third Vice-President, and one point for each vote for Fourth Vice-President. The one having the greatest number of points shall be declared First Vice-President, the next highest the Second Vice-President, the next highest the Third Vice-President, and the next highest the Fourth Vice-President.

2.139 Appointment of Committee on Nominations

At each regular convention of Synod a Selection Committee of seven persons — three pastors, three laymen, and one teacher — shall be elected. This Selection Committee shall appoint the members of the Committee on Nominations from the list of delegates elected by the electoral circuits at the District conventions held prior to a convention of Synod. The Selection Committee shall inform these members in due time of their appointment. The Committee on Nominations shall consist of fifteen persons — seven pastors, three teachers, and five laymen — and is to serve at the next convention of Synod. The various areas of Synod shall be represented on the Committee on Nominations.

2.141 Publication of Committee on Nominations

The names of the members of the Committee on Nominations shall be published four months before each convention of Synod in order that all members of Synod may suggest suitable candidates for the various offices, stating the reasons for such suggestions.

2.143 Duty of Committee on Nominations

The Committee on Nominations shall nominate candidates for all elective offices, boards, and committees, except those of the President and Vice-Presidents.

Each District President shall compile and submit to Synod's Secretary, for delivery to the Committee on Nominations, a list of pastors, teachers, and laymen whom he regards as suitable candidates for the various offices and boards of Synod, together with a characterization of each candidate suggested by him.

**2.147 Suggestions for Boards of Control and
for Board of Directors of Concordia
Publishing House**

The Committee on Nominations shall solicit from the Board of Directors or Officers' Conference of each District in which an educational institution is located the names of suitable candidates for the respective Boards of Control. Names of candidates for the Board of Directors of Concordia Publishing House shall be solicited in like manner.

2.149 Two Candidates for Each Position

Two candidates shall be nominated for each position. In case of nominations for Board members the candidates shall reside in reasonable proximity to each other.

2.151 Nominations Submitted to Convention

The Committee on Nominations shall meet prior to the convention to set up a tentative list of the candidates for all offices, such list to be subject to revision by the Committee as the election proceeds. All nominations made by the Committee, together with pertinent information concerning each candidate, shall be placed into the hands of the delegates, in written or printed form, before they are submitted to the convention for amendment or ratification prior to the election. "Pertinent information" shall include factual information, such as age, occupation or profession, experience, place of residence, District affiliation.

2.153 Order of Names on Ballot

The names and District affiliations of the candidates in all elections — at least two for each position — shall be placed on the election ballot in rotating order and without any distinctive mark.

A. RELATION OF DISTRICT TO SYNOD

3.01 Bound to Carry Out Resolutions

Synodical Districts created by Synod to carry out its work in their respective territory are bound to carry out Synodical resolutions affecting them. Over against them Synod is not merely an advisory body.

B. DISTRICT CONVENTIONS

3.03 Rules of Order

The conventions of the Districts shall be governed by the By-Laws adopted by Synod for its conventions, in so far as these may be applicable. Each District may adopt any other regulations, provided these are not contrary to the Constitution and By-Laws of Synod. The President of the District shall conduct the sessions according to accepted parliamentary rules and shall so arrange the schedule of business that the sessions do not extend beyond six business days.

3.05 Preacher at Convention Service

The President of Synod or his representative shall deliver the sermon at the opening or convention service.

3.07 President of Synod to Report

The President of Synod or his representative shall report on the condition and affairs of Synod, its educational institutions, missions, finances, etc.

3.09 Accrediting of Delegates

The pastor of a voting congregation shall stand accredited and entitled to vote. The lay delegate of a voting congregation shall stand accredited and entitled to vote upon presenting to the Secretary at the opening of the convention the proper credentials signed by his pastor and two of the congregation's officers. If a pastor serves two or more congregations, these shall be regarded as one parish and shall be entitled to only one lay vote.

3.11 Attendance of Delegates

All duly elected delegates and advisory members shall attend all sessions regularly until the close

C. DISTRICT OFFICERS

3.21 Presidents and Vice-Presidents

Every District of Synod shall elect a District President and two or more District Vice-Presidents. A majority of votes shall be required for election.

3.23 Relation of District Presidents to President of Synod

Each District President by virtue of his office represents Synod in his respective territory. He shall, therefore, periodically report to the President of Synod, and the President of Synod shall meet with the District Presidents at least once a year for the purpose of counseling together regarding the work of Synod. The District Presidents, together with the President and Vice-Presidents of Synod, shall form the College of Presidents.

3.25 Report to District Convention

The District President shall make an official report to the District at its convention.

3.27 Secretary and Treasurer

Every District of Synod shall elect a Secretary and a Treasurer. A majority of votes shall be required for such election.

3.29 Qualification of District Officers

The President, the Vice-Presidents, the Secretary, the Treasurer, and the members of the Board of Directors of every District shall be members of voting congregations.

3.31 Holding More Than One Office

No one, either in Synod or in a District, or between Synod and a District, shall hold more than one elective office; or more than two offices, although one or both be appointive; or ever hold two offices of which one is directly responsible for the work done by the other. Doubtful cases shall be decided by the President of Synod.

3.41 The District President as Visitor, Adviser, and Counselor

The District Presidents, in accordance with the Constitution of Synod, shall supervise the doctrine, the life, and the official administration on the part of the pastors and the teachers of their District and shall inquire into the prevailing religious conditions of the congregations of their District. Therefore, as often as possible, they shall attend the conferences of pastors and teachers held in their District, advise the congregations of their District as to the calling of pastors and teachers, give counsel when requested, and reply to inquiries. They may call upon their Visitors to assist them.

3.43 Official Visits or Investigations

The District President may arrange for an official visit or an investigation, even without formal request therefor, when any controversy arises in a congregation or between two or more congregations of his District. He shall ask for a report on the case of both contesting parties in order that by such a report he may be enabled to have a clearer conception of the real situation. If the District President authorizes anyone to represent him in such matters, his representative shall be accorded the same rights.

3.45 Official Roster of Pastors and Teachers

The District President shall annually revise the official roster of pastors and teachers in the *Lutheran Annual* as far as his District is concerned and remove the names of such as have died, have severed their connections with Synod, are regularly engaged in a secular calling, or have in some way disqualified themselves for service in the Church.

E. VISITORS AND OFFICIAL VISITS

3.61 Election and Official Visits

- a. Every District of Synod shall create a sufficient number of circuits and elect a Visitor for each circuit to make possible official visits to each congregation once in three years and at any time when the Visitor deems it necessary.

b. Congregations of the Visitors shall be visited by the District President or by one of the District Vice-Presidents or another Visitor designated by the District President.

3.63 Visitor and District President

a. Each Visitor, by virtue of his office, shall assist the District President within the circuit. Therefore the District President shall meet with the Visitors of the District at least once a year for the purpose of discussing the work of the Visitor.

b. The Visitor shall regularly report on his activities to the District President.

3.65 Visitor and Member Congregations

The Visitor shall officially visit the congregations, pastors, and teachers of his circuit. If he deems it necessary, the Visitor may arrange for a special meeting of the congregation, even if he has not been invited.

3.67 Visitor and Non-Member Congregations

The jurisdiction of Visitors shall include non-member congregations whose pastors are members of Synod, but for the purpose of official visits in the congregation, the consent of such congregation shall first be secured.

3.69 Time of Official Visits

The time of his official visits shall be arranged in advance by the Visitor with the respective pastor and congregation, except under extraordinary circumstances.

3.71 Purpose of Official Visits

The purpose of official visits shall be to bring about to the greatest possible degree the achievement of Synod's objectives as expressed in Article III of its Constitution.

3.73 Visitor and Pastor

a. The Visitor shall conduct his official visits in an evangelical manner and not resort to legalistic measures.

b. He shall come to the pastor as a brotherly adviser, reminding him of the glory of the ministry and of its great responsibilities.

c. He shall ascertain whether the pastor is faithful in preaching the Law and the Gospel in their purity, properly dividing and applying them, whether he privately ministers to the needs of the individuals, exercises church discipline in an evangelical manner, and properly supervises all Christian education and training in his parish.

d. He shall in a brotherly manner discuss the spiritual life, home life, and studies of the pastor with him, also his library and professional studies and professional growth.

3.75 Visitor and Congregation

a. The Visitor shall keep in mind the glory and responsibility of the universal priesthood of all believers as it applies to the congregations. He shall remind them that they are a chosen generation, a royal priesthood, an holy nation, a peculiar people to show forth the praises of Him who has called them out of darkness into His marvelous light. He shall meet with the entire congregation, if possible, rather than with the voting members only.

b. He shall inquire whether the congregations are zealously guarding the purity of doctrine, not tolerating errors or schismatic tendencies.

c. He shall inquire regarding the attendances at services, at Communion, and at voters' meetings; the salaries of pastors and teachers; the participation of the congregation in work of the church at large and in missions; the reading of Christian literature; the Christian training of the children; the adequate indoctrination of adult catechumens; and the family altar.

d. He shall inquire what means are being used to guard against the evil influences of sects and organizations which endanger the spiritual life of the congregation.

e. He shall inquire concerning excommunications and examine the minutes referring to them, with a view to possible adjustment according to the Word of God.

f. He shall strive to bring about a peaceful adjustment in a Christian manner (Matt. 18:15-17; 1 Tim. 5:19) if any differences between a pastor and his congregation have arisen and have been brought to his attention.

g. He shall report on the work of Synod and urge support of Synod's work on the part of the congregation.

The Visitor, when visiting elementary schools of all types, shall give his attention to —

- a. the personal attitude of the teacher toward his profession and his pupils;
- b. the general course of study, with special emphasis on the teaching of the Christian religion;
- c. Christian discipline;
- d. the school attendance;
- e. the school equipment;
- f. the school management.

3.79 Visitor and School Superintendent

The Visitor may be assisted by a superintendent of schools where Districts have made such a provision.

3.81 Expenses of Visitor

The Visitor is authorized to draw upon the District Treasury for his expenses.

F. MEETINGS OF VISITORS' CIRCUITS

3.91 Meetings

The Visitor shall call a meeting of his circuit at least once each year.

3.93 Representation at Meetings

Each congregation of the respective circuit shall be represented at such circuit meetings by its pastor and at least one delegate. It is desirable that the delegate who represented the group of congregations at the convention of Synod shall serve for the term of three years, and the delegate to District conventions for one or two years respectively; other delegates shall be chosen by the congregations as circumstances require. Such circuit meetings shall be open to all members of the congregations.

3.95 Purpose

The purpose of such circuit meetings shall be to strengthen the spirit of unity, fellowship, and co-operation among the several congregations. The resolutions of Synod and of the respective District shall be brought to the attention of the congregations, that all may co-operate in carrying them

out, the spiritual side of church work, including mission work and all phases of parish education, shall receive special emphasis; information as to the condition and needs of the treasuries of Synod and District shall be given; reports from the various congregations as to methods used and contributions made for synodical purposes shall be received; and all congregations shall be encouraged to grow in the grace of Christian stewardship.

3.97 Joint Meetings

Joint meetings of two or more circuits may be held where this is desirable.

G. PARISHES

3.105 Parish Lines

The membership of a congregation constitutes its parish. Territorial parish lines are not established by divine right. Nevertheless the following reasons may be cited for establishing such lines.

a. God is not the author of confusion, and therefore He wants all things to be done decently and in order. 1 Cor. 14:40; 1 Pet. 4:15.

b. Schisms and sects in a congregation should be avoided, and church members should not be given occasion to attach themselves to the person of one pastor in preference to that of another. This in itself is a sectarian tendency, which Paul condemns, 1 Cor. 1:12; 3:3-7.

c. The private cure of souls, an essential duty of every pastor, is rendered more difficult where there are no parish lines and in many cases is impossible, nor can church discipline be well exercised. A member who on account of distance no longer regularly attends church services shall be advised to affiliate with the nearest orthodox Lutheran congregation in his neighborhood.

d. The example of the Apostolic Church favors the separation of congregations by parish lines; for in days of the Apostles, bishops were appointed for every city, Titus 1:5. The example of the Apostles, it is true, is not equal to an express command which must be obeyed by Christians of all times and under all circumstances; yet the custom of Apostolic times speaks in favor of the reasons given above, and therefore it is proper that we should not without good reason fail to follow such example.

3.107 Dividing Congregations

Congregations which have grown so large that their members cannot be properly ministered to or which have spread over so much territory as to prevent members living at a distance from using the means of grace with necessary frequency shall not oppose dividing the parish; neither shall they oppose the organization of new congregations in territories which would be thereby better served. All other interests are subordinate to those which seek to promote the glory of God and the extension of His kingdom.

3.109 Principles of Division

The division of one congregation into two or more and the establishing of a new mission or congregation adjacent to an existing parish or parishes shall be regulated and effected in accordance with due Christian regard for the spiritual welfare of all concerned. This demands (1) that any such separation or division be brought about—as much as possible—by a voluntary agreement, prompted by the conviction of all concerned; (2) that church property be divided in accordance with justice and equity, so that one party will not be slighted while the other party is given undue advantages; (3) that Christian forbearance rather than the strict letter of the law decide any difficult questions; (4) that lesser evils be borne in order to prevent greater evils; (5) that the dividing of a parish for the purpose of organizing new congregations be not absolutely insisted upon if thereby a whole congregation would be seriously disturbed.

3.111 Reports of Removal

Pastors shall report the removal of any of their members to the parish to which such members have removed, in order to prevent a deplorable and unnecessary loss of members. Members shall keep their pastors informed of such removals.

IV. PASTORS AND TEACHERS**A. CALLS****4.01 Advising Member Congregations**

Congregations shall seek the advice of the respective District officials when calling pastors or teachers.

4.06 Advising Non-Member Congregations
Lutheran congregations not members of Synod making application to Synod for pastors or teachers shall also have the benefit of such official advice.

4.05 Non-Lutheran Congregations

Congregations of non-Lutheran faith making application to Synod for pastors or teachers shall not be denied their request; provided

- a. that the congregation making application declare its unconditional acceptance of the Bible as the Word of God;
- b. that the congregation declare its willingness to permit its pastor to minister to it in accordance with the Confessions of the Lutheran Church;
- c. that the congregation after due instruction declare its willingness to sever its connection with any heterodox body with which it may be affiliated.

4.07 Serving Non-Lutheran Congregations

A pastor of Synod, if requested by a non-Lutheran congregation without a pastor to fill its pulpit, may do so for a longer or shorter period of time, in order that such a congregation may hear the Word of God expounded in its truth and purity. Under such circumstances a pastor will not publicly celebrate the Lord's Supper in that congregation. If such a congregation desires to extend a regular call to one of our pastors, the conditions as provided in Paragraph 4.05 c must be observed.

4.09 Assignment of Calls to Candidates

The District Presidents shall annually assign to the graduates of Synod's educational institutions the calls for pastors or teachers which congregations and mission boards have sent them. When such assignment is made, the faculties of the respective institution shall be consulted.

B. ORDINATIONS AND INSTALLATIONS

4.15 Ordination of Candidates

A candidate for the ministry may be ordained only when he has received a legitimate call from and to a certain congregation and after previous

examination has been found to be sound in doctrine, apt to teach, blameless in life, and has made application for membership in Synod to the respective District President.

4.17 District Presidents Responsible

The District President shall be responsible for the ordination of candidates for the ministry and the installation of pastors and teachers in congregations within his District. If the President is unable to perform these duties in person, he may delegate the same to another pastor who is a member in good standing of an orthodox Lutheran body. If possible, the pastor officiating at such ordination or installation shall be assisted by one or more pastors.

4.19 Place and Manner

The ordination or installation shall take place in the presence of the congregation which has called the candidate or pastor. The pastor shall be ordained or installed in accordance with the accepted Lutheran forms for that purpose and shall be solemnly pledged to the Scriptures as the inspired and inerrant Word of God and to the Symbolical Books of the Lutheran Church as a true exposition of the Scriptures. The District President shall issue a diploma of ordination.

4.21 Installation of Professors

Professors at Synod's educational institutions shall be installed in accordance with accepted Lutheran forms for that purpose and shall be solemnly pledged to the Scriptures as the inspired and inerrant Word of God and to the Symbolical Books of the Lutheran Church as a true exposition of the Scriptures. The installation shall be performed by the respective District President or by his representative.

4.23 Installation of Teachers

Teachers at Lutheran elementary and secondary schools who have been duly elected and called by a congregation or congregations for full-time service in the Church shall, after having made application for membership in Synod, be installed in accordance with accepted Lutheran forms for that purpose and shall be solemnly pledged to the Scriptures as the inspired and inerrant Word of God and to the Symbolical Books of the Lutheran

Church as a true exposition of the Scriptures. The installation shall be performed by the pastor of the congregation upon authorization by the District President.

C. MISSIONARIES

4.41 Commissioning

Missionaries and itinerant preachers who are not called by and to a specific congregation shall be commissioned according to accepted Lutheran forms and shall be pledged to the Scriptures as the inspired and inerrant Word of God and to the Symbolical Books of the Lutheran Church as a true exposition of the Scriptures.

4.43 Order for Commissioning

The order for the commissioning of missionaries called into the foreign field shall be issued by the respective Mission Board. The order for the commissioning of missionaries for service within a given District of Synod shall be issued by the respective District President.

4.45 Membership in Synod

a. The application for membership in Synod shall be addressed to the respective Mission Board under which the missionary is serving and shall be acted upon at the next convention of Synod. The District affiliation of a missionary in a foreign field shall be with his home District, unless he shall request membership in another District. If Synod does not meet in that or the following year, the application shall be presented to the convention of the home District of the applicant and be acted upon.

b. The signing of the Constitution may be done by proxy authorized in writing.

D. APPLICATIONS BY MINISTERS FROM WITHOUT SYNOD

4.55 Directed to District President

Applications of pastors and candidates for the ministry coming from a church body not affiliated with Synod shall be directed to the President of the District in whose territory the application originates.

The District President, upon receipt of an application, shall request a short autobiography, trustworthy credentials, and any other pertinent information touching upon the qualifications of the applicant for the office of the ministry. After establishing the sufficiency and trustworthiness of the information submitted, the District President shall publish the applicant's request in the official organs of Synod. If no valid objection is filed within four weeks after the notice of the application has been published, the District President shall submit the application, together with his findings, to the respective Examining Committee for further action.

4.59 The Examining Committee

The Examining Committee shall consist of the presidents of the two theological seminaries of Synod and one of the Vice-Presidents of Synod, designated by the President of Synod. The Vice-President shall be the chairman of this committee. In exceptional cases the chairman shall, with the consent of the other examiners, be empowered to appoint a substitute committee of three competent members of Synod to examine the applicant. The examination shall always be held before competent witnesses.

4.61 Examination

The examination shall comprehend the character, general fitness, theological training, and doctrinal position of the applicant. The chairman of the Examining Committee shall fix the time and place of examination and shall, four weeks prior to the examination, send to the applicant the text on which he is to submit a written sermon and also the theme for a doctrinal essay. These two papers shall be submitted to the Examining Committee eight days prior to the examination. The examination shall be either oral or written or both and shall comprehend the essentials of the four departments of Christian theology. The applicant shall preach the written sermon which he submitted and give evidence of his ability to conduct a catechization. The examiners shall, above all things, seek to determine whether the applicant is apt to teach, is able rightly to divide the Word of Truth, and is positive in his confession of the true doctrine.

4.63 Applications from Affiliated Church Bodies

Applications coming from pastors or candidates of theology who are members of an affiliated church body and who have previously given satisfactory evidence of their qualifications for the ministry may be received without examination.

4.65 Certificates of Eligibility

Applicants who have satisfactorily passed their examinations shall be given certificates of eligibility by the Examining Committee.

4.67 South American Examining Committee

a. The Examining Committee for candidates for the ministry in the Brazil District shall be the President of the Brazil District and the president of the seminary at Porto Alegre.

b. The Examining Committee for candidates for the ministry in the Argentina District shall be the President of the Argentina District and the president of the seminary at Buenos Aires.

**E. APPLICATIONS BY TEACHERS
FROM WITHOUT SYNOD****4.75 Directed to District President**

Applications of teachers and candidates for the teaching profession coming from other than Synod's institutions or the institutions of affiliated bodies shall be directed to the President of the District in whose territory the application originates.

4.77 Information Required

The District President, upon receipt of such application, shall request a short autobiography, trustworthy credentials, and any other pertinent information touching upon the qualifications of the applicant. After establishing the sufficiency and trustworthiness of the information submitted, the District President shall publish the applicant's request in the official organs of Synod. If no valid objection is filed within four weeks after the notice of the application has been published, the District President shall submit the application, together with his findings, to the respective Examining Committee for further action.

The faculty of either of Synod's teachers' colleges shall constitute the Examining Committee. The application shall be directed to the faculty of that institution which is most conveniently located for the parties concerned. The faculty may function through a subcommittee chosen from its own midst. In exceptional cases the Examining Committee shall be empowered to appoint a substitute committee of competent members of Synod, consisting of one pastor and two teachers, to examine the applicant. The examination shall be held before competent witnesses.

4.81 Examination

The examination shall comprehend character, general fitness, professional training, and doctrinal position of the applicant. The chairman of the Examining Committee shall fix the time and place for the examination. The examination shall be either oral or written, or both.

4.83 Certificates of Eligibility

Applicants who have satisfactorily passed their examinations shall be given certificates of eligibility by the Examining Committee.

4.85 Application from Affiliated Church Bodies

Applications coming from teachers or candidates for the teaching profession who are members of an affiliated church body and who have previously given satisfactory evidence of their qualification for a teaching position may be received without examination.

4.87 South American Examining Committees

a. The Examining Committee for candidates for the teaching profession in Lutheran elementary schools in Brazil shall be the President of the Brazil District and the president of the seminary at Porto Alegre.

b. The Examining Committee for candidates for the teaching profession in Lutheran elementary schools in Argentina shall be the President of the Argentina District and the president of the seminary at Buenos Aires.

TO CONFERENCES OF PASTORS
AND TEACHERS

4.101 Pastoral Conferences

Every District of Synod shall arrange conferences for its pastors. Four weeks prior to the convention of the District the minutes and essays or a reasonably comprehensive summary of the essays of such pastoral conferences shall be submitted to a committee appointed by the District President for examination and a report to the District.

4.103 Teachers' Conferences

Every District of Synod shall arrange conferences for its teachers. The minutes and essays or a reasonably comprehensive summary of the essays of such conferences shall be submitted to the District convention in like manner as those of pastoral conferences.

4.105 Joint Conferences

Every District shall encourage joint conferences of pastors and teachers.

4.107 Smaller Conferences

Pastors and teachers are encouraged to organize smaller conferences in addition to their regular conferences and to meet for the purpose of discussing doctrinal, professional, and practical matters.

4.109 Intersynodical Conferences

Intersynodical conferences with members of other constituent and affiliated bodies of the Synodical Conference are desirable and are encouraged.

4.111 Purposes of Conferences

The official conferences of pastors and teachers shall be conducted for the spiritual and professional growth of their members. Attendance shall be obligatory. Matters pertaining to Christian doctrine and practice, to professional problems, to the proper conduct in office, to private study, to the welfare of the respective congregations and schools, to the work of the District and of Synod at large, or to any other professional matter shall at all times receive due and sympathetic attention. The mem-

bers of the conferences shall aim to cultivate brotherly fellowship, be mutually helpful in every way possible, and encourage, instruct, and admonish one another in a spirit of sincerity and Christian love. Professional conferences have no administrative functions.

V. SUSPENSION, EXPULSION, AND APPEALS

(Const., Art. XIII)

ARTICLE I. BOARDS OF APPEAL

5.01 Membership

A Board of Appeals shall be elected by Synod and by each District. The Board of Appeals of Synod shall consist of six clergymen and five laymen, two of whom may be teachers, and that for the Districts of three clergymen and two laymen, one of whom may be a teacher. No administrative or executive official of Synod or of any of its Districts shall be a member of a Board of Appeals. A Visitor shall be considered to be such an official.

5.03 Term of Office

Members of the respective Boards of Appeals shall be elected in accordance with the rules governing elections for terms of three years. The nominees failing of election shall serve as alternates.

5.05 Vacancies on Boards

Vacancies, either permanent or temporary, shall be filled by alternates in the order of the number of votes received. Should there be no alternates available, the Boards of Appeals may choose any eligible member of Synod to fill the vacancy. Persons chosen by the Boards of Appeals shall serve to the time of the next regular election of Synod or District, which service of the unexpired term shall be considered his first term of office.

5.07 Officers of Boards

Each Board of Appeals shall elect a chairman, a vice-chairman, and a secretary, who shall have custody of all records and files. Meetings shall be called by the secretary upon instructions from the chairman.

5.09 Disqualification

A member of a Board of Appeals shall be disqualified to act if he is directly or indirectly involved in any proceedings before the Board. If any party to a proceeding regards any member of the Board as disqualified, he shall so advise the Board, giving his reasons therefor, and the Board shall determine whether such reason is sufficient.

5.11 Resignations

If one member of a District Board of Appeals or two members of the Synodical Board of Appeals die, resign, or become unable to serve after proceedings have begun, the remaining members of a Board may nevertheless continue the proceedings and render a decision; if a larger number shall die, resign, or become unable to serve, it shall be necessary to appoint alternates and begin the proceedings anew.

ARTICLE II. JURISDICTION OF BOARDS**A. District Boards, Original Cases****5.21 Definition of Original Cases**

Original cases are those arising within the District, as when any member of Synod (congregation, pastor, teacher, or official of Synod), voting or advisory, is charged with any action which according to Article 13 of the Constitution of Synod may lead to expulsion from Synod. They remain original cases so long as they are handled by the agencies of the District (Visitor, President, or District Board of Appeals).

PROCEDURE**ORIGINAL CASES IN THE DISTRICT****5.23 Ineligibility for Service**

If the member involved is a pastor, professor, teacher, or layman, and his offense makes him ineligible for further official service in the Church and he pleads guilty, the President shall publish in the official organs of Synod the fact that he is ineligible for service and shall so report to the District. In case the President of the District is charged with any action that would disqualify him for office, the Vice-Presidents of the District shall initiate proceedings, and the First Vice-President shall act.

If the member involved does not plead guilty and the officials of the District acting in the case, including the President, having exhausted all administrative efforts, are convinced that final action must be taken, the President of the District shall present the case to the Board of Appeals by filing written charges against such member and by submitting to the Board all documentary evidence.

5.27 Consideration of the Case

The Board of Appeals shall consider the case according to the General Rules Governing Boards of Appeal. (See Sec. 5.141 ff.) If, however, error in procedure was discovered or new evidence is submitted, the Board shall remand the case to the source of origin.

5.29 Petition for Rehearing

Within twenty (20) days after receipt of notification either party may petition the Board for a rehearing, with reasons therefor, and is required to do so before he may exercise his right to appeal to the District convention.

5.31 Suspension

If the accused has been found guilty as charged, and no petition for a rehearing has been entered, the President shall without delay suspend said member from Synod and shall publish notice of suspension in the official organs of Synod.

5.33 Referred to District Convention

Since suspension is only a temporary measure, all matters pertaining to membership in Synod and to eligibility for service in Synod must be referred to the next convention of the District for decision.

5.35 Report of President to Convention

In his report to the District the President shall briefly state the case, the charge preferred, the action taken, and the appeal, if any, that has been made to the District. Thereupon the convention shall elect a Committee of Review, consisting of three pastors and two laymen (one of whom may be a teacher), which during the convention shall, on the basis of the decision of the District Board of Appeals and the objections that may have been

filed by the appellant, determine whether or not a mistake was made in procedure. It is therefore not the duty of this Committee of Review to hear and adjudge the entire case.

5.37 Meetings of Committee of Review

Interested parties may appear before said Committee of Review, to receive or to give information. The President shall notify the convention of this opportunity.

5.39 Report of Committee of Review to Convention

If the Committee of Review on the basis of its findings recommends the confirmation of the decision of the District Board of Appeals, such findings shall be reported to the convention for confirmation. If the Committee of Review finds error in procedure, the said Committee of Review shall remand the case to the District Board of Appeals and report to the convention that the case has been remanded.

5.41 Action of the Convention

Upon the recommendation of the Committee of Review and without debate the District convention shall vote to confirm the decision of the Board of Appeals. If the decision of the Board of Appeals is confirmed by the District convention, this decision by the District shall be final, and no further appeal to the District shall be entertained. Suspension is changed to expulsion when the suspension by the District President is upheld by the decision of the Board of Appeals and confirmed by the District convention. Notice concerning the action taken by the District shall be published by the District President in the official organs of Synod.

5.43 Appeal to Synod

Any party affected by the action of the District shall have the right to appeal to Synod, but in the meantime the action of the District shall be respected by Synod.

APPEAL CASES IN THE DISTRICT

5.51 Definition

Appeal cases are those which arise within a congregation, as when a member has been excommunicated and appeals his case to the officials of the

District, or when a controversy arises between two congregations and, being unable to settle the matter between themselves, they appeal to the officials of the District.

5.53 Procedure

Whoever desires to appeal must first go to his Visitor, who shall endeavor to settle the case. If still dissatisfied, the appellant must go to the President of his District, who shall exhaust all administrative efforts to settle the case. If these efforts fail, the case shall be submitted to the District Board of Appeals, and the President shall so advise all parties.

5.55 Counselors

Any party to any proceeding may select as counselor any communicant member of Synod, and the Board may, if requested, suggest names of persons competent to act as counselors. The appellant shall pay the expenses of his counselors.

5.57 Consideration of the Case

The Board of Appeals shall consider the case according to the General Rules Governing Boards of Appeal. (See Sec. 5.141 ff.)

5.59 Petition for Rehearing

Within twenty (20) days after receipt of notification either party may petition the District Board for a rehearing, with reasons therefor, and is required to do so before he may exercise his right to appeal to the District convention.

5.61 Appeal to the District

If an appeal is taken to the District, the President shall, in his report to the District convention, briefly state the case, the decision of the Board, and the appeal that has been taken to the District. Thereupon the District convention shall elect a Committee of Review consisting of three pastors and two laymen (one of whom may be a teacher), which during the convention shall, on the basis of the decision of the District Board of Appeals and the objections that may have been filed by the appellant, determine whether error has been made in procedure. It is therefore not the duty of this Committee of Review to hear and adjudge the entire case.

Interested parties may appear before said Committee of Review to receive or to give information. The District President shall notify the District convention of this opportunity.

5.65 Report of Committee of Review to Convention

If the Committee of Review on the basis of its findings recommends the confirmation of the decision of the District Board of Appeals, such findings shall be reported to the District convention for confirmation. If the Committee of Review finds error in procedure, the said Committee of Review shall remand the case to the District Board of Appeals and report to the convention that the case has been remanded.

5.67 Action of the Convention

Upon the recommendation of the Committee of Review and without debate the District convention shall vote to confirm the decision of the Board of Appeals. If the decision of the Board of Appeals is confirmed by the District convention, this decision by the District shall be final, and no further appeal to the District shall be entertained.

5.69 Appeal to Synod

Any party affected by the action of the District shall have the right to appeal to Synod, but in the meantime the action of the District shall be respected by Synod and its members.

B. General Synodical Board, Original Cases

5.81 Original Cases in Synod

The original jurisdiction of Synod's Board of Appeals shall include controversies about membership in Synod and eligibility for service in a particular field of work or in the Church in general which arise in connection with activities directly under the control of Synod. However, the plaintiff in such cases shall first present the case to the President of Synod, who shall make every effort to settle it. Only when all administrative efforts have been exhausted shall the President of Synod refer the case to Synod's Board of Appeals. In case the President of Synod is charged with any action that would disqualify him for office, the Vice-Presidents of Synod shall initiate proceedings, and the First Vice-President of Synod shall act.

The original jurisdiction of Synod's Board of Appeals shall also include inter-District controversies. If a congregation in one District believes that it has cause for complaint against the action of a congregation in another District, it shall first attempt to settle the matter by direct negotiation. If the matter cannot be settled in this manner, the first congregation shall file with the President of its own District a complaint against the action of the second congregation. The President shall then notify the President of the other District, and the two Presidents shall attempt to settle the case. If their administrative efforts do not produce the desired results, they shall refer the case to the President of Synod, who shall attempt to settle it. After all administrative efforts have been exhausted, the President of Synod shall refer the case to Synod's Board of Appeals.

PROCEDURE

5.85 Ineligibility for Service

If the member involved is a pastor, professor, teacher or layman, and his offense makes him ineligible for further official services in the Church and he pleads guilty, the President of Synod shall publish in the official organs of Synod the fact that he is ineligible for service, and shall so report to Synod.

5.87 Action of President

If the member involved does not plead guilty and the President (respectively Vice-President), having exhausted all administrative efforts, is convinced that final action must be taken, he shall present the case to the Board of Appeals of Synod by filing written charges against such member and by submitting to the Board all documentary evidence.

5.89 Consideration of Case

The Board of Appeals shall consider the case according to the General Rules Governing Boards of Appeal. (See Sec. 5.141 ff.)

5.91 Petition for Rehearing

Within twenty (20) days after receipt of notification either party may petition the Board for a

rehearing, with reasons therefor, and is required to do so before he may exercise his right to appeal to Synod.

5.93 Suspension

If the accused has been found guilty of an action which according to Article 13 of the Constitution of Synod may lead to expulsion, and no petition for a rehearing has been entered, the President shall without delay suspend such member from Synod and shall publish notice of suspension in the official organs of Synod. Since suspension is only a temporary measure, all matters pertaining to membership in Synod must be referred to the next convention of Synod for decision.

5.95 Findings in Inter-District Controversies

If the case concerns eligibility for service or inter-District controversies which do not necessarily involve membership in Synod, the Board shall make such findings as the case indicates.

5.97 Report of President to Convention

In his report to Synod the President shall report that an appeal has been made to Synod. Thereupon the convention shall elect a Committee of Review, consisting of three pastors and two laymen (one of whom may be a teacher), which during the convention shall, on the basis of the decision of Synod's Board of Appeals and the objections that may have been filed by the appellant, determine whether error has been made in procedure. It is therefore not the duty of this Committee of Review to hear and adjudge the entire case.

5.99 Meetings of Committee of Review

Interested parties may appear before said Committee of Review to receive or to give information. The President of Synod shall notify the convention of this opportunity.

5.101 Report of Committee of Review to Convention

The Committee of Review shall report its findings to the convention, recommending either to uphold the opinion of Synod's Board of Appeals or, if error in procedure or action was discovered or new evidence submitted, to remand the case to Synod's Board of Appeals.

5.103 Action of the Convention

Upon the recommendation of the Committee of Review and without debate the convention shall vote to confirm the decision of Synod's Board of Appeals. If the decision of the Board of Appeals is confirmed by the convention, this decision by Synod shall be final, and no further appeal to Synod shall be entertained. Suspension is changed to expulsion when the suspension by the President of Synod is upheld by the decision of Synod's Board of Appeals and confirmed by the convention. Notice concerning the action taken by the convention shall be published by the President of Synod in the official organs of Synod.

APPEAL CASES IN SYNOD

5.111 Definition

An appeal case in Synod is a case coming from a District to Synod.

5.113 Procedure

All appeals from District to Synod shall directly be referred by the President of Synod to Synod's Board of Appeals. In all cases appealed from the District convention to Synod, the decision of the District Board of Appeals and the judgment of the District convention shall form the basis of the appeal. The administrative officers of the District shall be responsible for the defense of a District decision.

5.115 Counselors

Any party to any proceeding may select as counselor any communicant member of Synod, and the Board may, if requested, suggest names of persons competent to act as counselors. The appellant shall pay the expenses of his counselors.

5.117 Consideration of Case

The Board of Appeals shall consider the case according to the General Rules Governing Boards of Appeal. (See Sec. 5.141 ff.)

5.119 Petition for Rehearing

Within twenty (20) days after receipt of notification either party may petition Synod's Board of Appeals for a rehearing, with reasons therefor, and is required to do so before he may exercise his right to appeal to Synod.

If an appeal is made to Synod, the convention shall elect a Committee of Review, consisting of three pastors and two laymen (one of whom may be a teacher), which during the convention shall, on the basis of the decision of Synod's Board of Appeals and the objections that may have been filed by the appellant, determine whether error has been made in procedure. It is therefore not the duty of this Committee of Review to hear and adjudge the entire case.

5.123 Meetings of Committee of Review

Interested parties may appear before said Committee of Review to receive or to give information. The President of Synod shall notify the convention of this opportunity.

5.125 Report of Committee of Review to Convention

If the Committee of Review on the basis of its findings recommends the confirmation of the decision of Synod's Board of Appeals, such findings shall be reported to the convention for confirmation. If the Committee of Review finds error in procedure, the said Committee of Review shall remand the case to Synod's Board of Appeals, and report to the convention that the case has been remanded.

5.127 Action of Convention

Upon the recommendation of the Committee of Review and without debate the convention shall vote to confirm the decision of Synod's Board of Appeals. If the decision of the Board of Appeals is confirmed by the convention, this decision by Synod shall be final, and no further appeal to Synod shall be entertained. Notice concerning the action taken by the convention shall be published by the President of Synod in the official organs of Synod.

GENERAL RULES GOVERNING BOARDS OF APPEAL

5.141 Copy of Regulations

The Board of Appeals upon assuming jurisdiction of an appeal case shall promptly forward to all parties concerned a copy of these Regulations.

5.143 Governing Principles

The Board of Appeals shall be governed in their acts and judgments by the Word of God and Christian principles and by the generally accepted rules of justice.

When a question of membership in Synod or eligibility for service in Synod is involved, the Board of Appeals shall review the matter in Christian charity according to the Constitution of Synod and its By-Laws.

5.145 Written Statement by Appellant

Within a time limit fixed by the Board, the appellant shall file with the Board a written statement, presenting briefly and clearly the facts of the case and the reasons for appealing the prior decision. The Board shall certify one copy thereof and send the same to the appellee.

5.147 Written Statement by Appellee

Within a time limit fixed by the Board, the appellee shall file with the Board a brief answer to the statement of the appellant. The answer of the appellee shall admit such facts as are correct and point out wherein facts and allegations are incorrectly stated by the appellant, and shall further give reasons upholding the prior decision. The Board shall certify one copy thereof and send the same to the appellant.

5.149 Documents and Pleadings

All statements, answers, and subsequent pleadings shall be accompanied by any documents or certified copies thereof which it is proposed to introduce into evidence, and the Board shall have the right to require the submission of any other documents which it deems essential or helpful in judging the case. Certified copies of parts of congregational minutes shall suffice for filing with pleadings, but the minute book itself shall be produced at the hearing.

5.151 Pleadings Amended

The Board may permit any party to amend its pleadings at any time prior to final decision.

5.153 Witnesses

Each party shall inform the Board and the opposite party of the names of probable witnesses

within fourteen (14) days before the hearing. If notice is not possible, such witnesses may be heard if the Board consents, but the opposite party shall have opportunity to produce witnesses in rebuttal at an adjourned hearing if necessary.

5.155 Time and Place of Hearings

The Board shall fix the time and place of hearings, and all parties shall receive reasonable notice thereof.

5.157 Technical Rules

The Board shall endeavor to elicit all factual information and evidence which shall bear on the case, without regard to technical rules of evidence, and any member of the Board may participate in the discussion.

5.159 Hearings Public or Private

The Board shall determine whether a hearing shall be public or private, and it shall also arrange for an official stenographic transcript of all testimony presented at the hearings.

5.161 Written and Signed Pleadings

a. At the beginning of a hearing the Board shall state all facts on which there is agreement between the parties as shown by the pleadings, which agreement shall be put in writing and signed by both parties.

b. The Board shall require the parties to enter into stipulations on all uncontradicted facts adduced during the hearing, which shall be put in writing and signed by both parties.

c. The Board shall endeavor to secure from all parties stipulations as to facts not mentioned in minutes or documents or as to the real meaning of loosely drawn resolutions or documents which may be variously interpreted. These facts shall be put in writing and signed by both parties.

5.163 Disputed Facts

Where facts are in dispute, the appellant and his witnesses shall be called first and shall be followed by the appellee and his witnesses. The Board shall determine the extent of the testimony which it requires, and all parties shall be given the opportunity of rebuttal.

5.165 Arguments Presented

After the presentation of the evidence, the Board shall hear the arguments in the same order.

5.167 Excommunication

In cases of excommunication, the Board shall be especially careful to determine whether the sin is of such a nature as to make the person "an heathen man and a publican," i.e., a manifest and impenitent sinner.

5.169 Sovereignty of Congregation

When an appeal in a matter of excommunication by a congregation is in question, the Board of Appeals shall recognize the sovereignty of the Christian congregation and may only review the action of the congregation according to the principles laid down in Scripture and advise the congregation accordingly. Either the congregation's action will be upheld, or it may be advised to review and eventually to revise its action. In case the Board of Appeals decides that a person has been improperly excommunicated and the congregation does not revise its action, the congregations of Synod shall not be required to respect such an excommunication. The District shall take such action towards the congregation as it may deem necessary.

5.171 Unanimity in Excommunication

In case of excommunication, unanimity in the Board of Appeals is required as far as the judgment of the congregation is concerned, while there may be disagreement as to procedure on the part of the congregation. In other cases a majority is sufficient.

5.173 Subcommittees in Board

In cases where a hearing by the entire Board would cause considerable inconvenience and expense, the Board may authorize a subcommittee of its members to conduct a hearing or hearings, in which case the stenographic report of such hearing or hearings shall be made available for the entire Board.

5.175 Decision of Board

The decision of the Board shall be written and shall state:

a. The facts of the case, as found by the Board from the evidence, and

b. the conclusion of the Board and the reasons therefor. The opinion shall be kept on file, but it shall not be necessary to print the same in full in the official report of the District unless the convention shall so direct.

5.177 Registered Mail

Each Board of Appeals shall promptly send copies of its decisions to the appellant, the appellee, and the District President, or the President of Synod, by registered mail, return receipt requested (noted thereon, "Deliver to addressee only"). The Board shall retain the originals in its own files.

5.179 Rehearing

If at any time either party discovers evidence of whose existence they were unaware when the case was being considered, and if such evidence has a material bearing on the merits of the case, the party concerned shall notify the Board of Appeals of such evidence, and the Board of Appeals shall have the authority to order a new trial if such contention is proved. If the District has not acted, the evidence shall be brought to the attention of the District Board of Appeals. If the District has acted, the evidence shall be brought to the attention of Synod's Board of Appeals.

5.181 Circularizing Members of District or Synod

While the case is still undecided, or while appeals are contemplated or pending, neither party shall circularize the members of the District or of Synod, this being prejudicial to any final decision. A person guilty of circularizing must disavow his conduct before his case will be entertained by any Board of Appeals.

5.183 Expenses

All parties concerned must assume their expenses and those of their counselor in connection with the case. Synod or the District pays the expenses of its Board of Appeals.

5.185 Plaintiffs and Defendants

All provisions herein with reference to appellants and appellees shall apply also to plaintiffs and defendants in all cases of original jurisdiction.

VI. HIGHER EDUCATION

A. BOARD FOR HIGHER EDUCATION

6.01 Personnel and Election

A Board for Higher Education, consisting of three pastors, one teacher or superintendent of Christian day schools, and three laymen shall be appointed by the President of Synod in conjunction with the Vice-Presidents of Synod, subject to the approval of the College of Presidents. Vacancies shall be filled in the same manner.

6.03 Advisory Committee

The Presidents of Synod's educational institutions in North America, or their representatives, shall constitute a standing Advisory Committee, which shall meet at the call of the Board.

6.05 Functions of Board

The Board for Higher Education shall strive to maintain the educational institutions of Synod at a high degree of efficiency and generally promote, improve, supervise, and direct adequate education for the preparation of its ministers and teachers, and assist, encourage, and advise with regard to means and objectives of higher Christian education, always keeping in mind the specific religious, spiritual, and professional ideals and objectives of our whole educational system.

6.07 Duties

The Board for Higher Education, in carrying out its duties, shall:

- a. supervise the execution of all rules, regulations, and resolutions of Synod relating to its educational system or its institutions;
- b. determine, direct, and supervise, within the intent and resolutions of Synod, the educational and administrative standards, policies, and procedures of Synod's educational system and institutions;
- c. study, determine, and put the synodically prescribed curriculum into effect at each educational institution of Synod after due consultation with the authorities thereof; enforce the instructional standards and policies in relation thereto; and determine and recommend the policies and

standards generally in relation to Psycho-Christian education which shall be pursued at such institution. It shall keep in mind the viewpoint of the faculties both before and after the policies have been formulated;

- d. study and survey, or cause to be studied and surveyed, with the necessary professional assistance, the trends and the philosophy of modern education; determine the relation and the implications thereof to Synod's educational standards, policies, and objectives; make the results and conclusions of such studies and surveys available to the faculties of Synod's educational institutions and to Synod generally;
- e. visit the institutions when necessary, and require stated reports from the Presidents, faculties, and Boards of Control;
- f. engage an Executive Secretary, determine the qualifications of his office, and prescribe his duties and functions;
- g. engage such additional clerical and professional help as may be necessary;
- h. gather, prepare, and maintain records and details of scholastic attainments, academic qualifications, and relevant data concerning persons qualified to teach at the educational institutions of Synod. It shall make available all such records and data to the Boards of Control of Synod's educational institutions and to persons who are authorized to participate in calling or otherwise engaging personnel for the teaching staffs of such educational institutions;
- i. have such other and additional powers, duties, and jurisdiction as may from time to time be prescribed and authorized by resolution of Synod.

6.09 Duties of Advisory Committee

The Advisory Committee shall meet on call of the Board for Higher Education. It shall study such problems and issues in the field of higher education and of the educational system and institutions of Synod and such other matters as may be assigned to it by the Board for Higher Education; and it shall report the results and conclusions of its studies to the Board for Higher Education for consideration in determining and fixing the educational policies, standards, and procedures for the educational system and educational institutions of Synod.

The Board for Higher Education shall call a meeting of the faculties of Synod's educational institutions during the year preceding the triennial convention of Synod for the purpose of studying, co-ordinating, and improving the educational policies, standards, procedures, and curricula of Synod's educational institutions. No member of any faculty shall be excused except for valid reasons. The cost of such meeting, including expenses for travel, room, and board incurred by each person attending in an official capacity, shall be paid by Synod.

B. BOARDS OF CONTROL

6.21 Election by Synod

A Board of Control for each of Synod's educational institutions shall be elected by Synod triennially, to provide effective local administrative organization, to facilitate the achievement of the purposes for which the respective institution is maintained, and to safeguard the financial, academic, and religious interests of Synod in such institutions.

6.23 Personnel of Boards Generally

The Board of Control of every institution except Concordia Seminary at St. Louis and the teachers colleges shall consist of the President of the synodical District in which the institution is located, or his representative, one pastor who is a voting member of Synod, and three laymen who are members of congregations of Synod and who reside within reasonable proximity to the institution. The President of the institution shall attend the meetings of the Board of Control in an advisory capacity.

6.25 Personnel of Board for Concordia Seminary, St. Louis

The Board of Control of Concordia Seminary at St. Louis shall consist of one Vice-President of Synod, to be designated by the President of Synod, the President of the synodical District in which the Seminary is located, three pastors who are voting members of Synod, and five laymen who are members of congregations of Synod and who reside within reasonable proximity to the institution. The

President of the Seminary shall attend the meetings of the Board of Control in an advisory capacity. Since he is to be the executive of the board, he should remain for the duration of the meetings.

6.27 Personnel of Boards for Teachers Colleges

The Boards of Control of teachers colleges shall consist of the President of the synodical District in which the institution is located, one pastor who is a voting member of Synod, one teacher who is a member of a congregation of Synod, and three laymen who are members of congregations of Synod and who reside within reasonable proximity to the institution. The President of the college shall attend the meetings of the Board of Control in an advisory capacity.

6.29 Qualifications of Members

No member of the Board of Control shall be on the salaried staff of an educational institution of Synod, nor shall a member of the Board of Control enter into gainful business contracts or relations with the institution.

6.31 President of Institution Is Executive Officer

The President of the institution shall be the executive officer of the Board of Control to carry out its resolutions.

6.33 Vacancies

Boards of Control shall fill any vacancies occurring in their membership with the approval of the President of Synod.

6.35 Organization

a. The Board of Control of each of Synod's educational institutions shall elect a chairman and a secretary and appoint such standing and special committees as it may deem necessary.

b. Each Board of Control shall elect a treasurer, who need not be a member of the Board. He shall keep accurate accounts of all moneys, goods, property, and assets received and disbursed by him, in accordance with such system of accounting and business records as may be prescribed by the Board of Directors of Synod in conjunction with the Board for Higher Education; shall deposit all moneys in a bank designated by the Board of

Control, shall make regular reports to the Board of Control, submit his books and records for inspection and audit, and furnish bond to Synod for the faithful performance of his duties in such amount as shall be determined by the Board of Directors of Synod. All surplus funds above a reasonable working balance shall be deposited with the Treasurer of Synod.

c. The Board of Control shall meet at regular intervals and not fewer than four times each year.

6.37 Relation to Synod and Legal Capacity

a. Each Board of Control shall operate and manage its institution as the agent of Synod, in which ownership is primarily vested and which exercises its control through the Board of Directors as custodians of Synod's property, the Board for Higher Education, and the respective Board of Control.

b. Each Board of Control shall constitute the governing body of its respective institution. It shall constitute the body corporate of such institution and shall be vested with all powers which its members may exercise in law either as directors, trustees, or members of the body corporate, unless in conflict with the laws of the domicile of the institution or its articles of incorporation. In such event, the Board of Control shall have power to perform such acts as may be required by law to effect the corporate existence of the institution.

c. Each Board of Control of an institution, or the body corporate thereof, shall receive all grants, gifts, devises, and bequests, either by deed or will or otherwise made to such institution. Report and delivery thereof shall be promptly made to the Treasurer of Synod or such other person as may be designated by the Board of Directors. If delivery is precluded by law or the terms of the grants, gifts, devises, and bequests, the Board of Control shall hold and administer the same, in accordance with the terms of the instrument creating such gift, under the direction of the Board of Directors of Synod.

d. Each Board of Control of an institution, or the body corporate thereof, shall let all contracts and assume all financial obligations and contractual responsibilities in the name of its respective institution and shall supervise and control the execution thereof under the direction of the Board of Directors.

- a. The Board of Control shall carry out the educational program and the curriculum prescribed by the Board for Higher Education for the respective institution; and in order to make certain that the work of the institution is carried on effectively and in the spirit of and in accordance with the theological and academic standards of Synod, it shall require regular reports from the President of the institution, or make personal visits, or both.
- b. The Board of Control shall be responsible to the Board of Directors of Synod for the condition of the physical property of its respective institution and shall operate, manage, control, and supervise the property, grounds, buildings, and equipment and maintain the same in good repair and efficiency.
- c. The Board of Control shall be responsible for the proper housing of its faculty members, for adequate housing and boarding facilities, health service, and social and athletic activities of its students, and the general welfare of both faculty members and students.
- d. The Board of Control shall be responsible for the efficient business administration of its respective institution, in accordance with such methods of accounting as may be prescribed by the Board of Directors of Synod in conjunction with the Board for Higher Education.
- e. The Board of Control shall carefully supervise the collection and disbursement of all funds raised by students for student activities as well as the funds derived from the college bookstore and other agencies and sources.
- f. The Board of Control shall be responsible to the Board of Directors of Synod in all matters regarding property and its maintenance. It shall submit reports regarding the same at regular intervals, or upon request. It shall apply to the Board of Directors for the property repairs and improvements, which, when authorized, shall be carried out by it on behalf and by order of the Board of Directors.

C. TEACHING STAFF AND FACULTY

6.51 Members of Teaching Staff

The teaching staff of each educational institution of Synod shall be composed of all those administrative officials and teachers who are called by the electors or who are appointed by the Board

of Control. Four ranks shall receive official recognition.

a. *Assistants.* They shall be appointed by the Board of Control upon recommendation by the President of the institution and shall be recruited primarily from the ranks of the undergraduate and graduate students of the seminaries and the teachers' colleges. The original appointment shall be for one year and may be renewed by the Board of Control for a second year. Extension of the appointment beyond two years shall require the consent of the Board for Higher Education.

b. *Instructors.* They shall be appointed by the Board of Control upon recommendation by the President of the institution. Such appointment shall be for two-year terms and may be renewed in the manner prescribed for the original appointment. If reappointment is not contemplated, Boards of Control shall so notify instructors six months prior to expiration of the current appointment and upon their request file the name of such instructors with the Board for Higher Education for listing on the Board's roster of available instructors. Upon completion of satisfactory teaching experience as well as adjustment of any requisite academic, professional, ministerial, or parish school work, instructors shall be eligible for calls to associate professorships or professorships in any of Synod's preparatory colleges, teachers colleges, or theological seminaries. Business managers, assistant librarians, physical education directors, athletic coaches, or other permanent staff personnel, not requiring theological training or ministerial experience may hold the rank of instructor.

c. *Associate Professors.* They shall be nominated, elected, and called in accordance with the synodical regulations governing the nomination, the election, and the eligibility of professors. The position of associate professor shall involve permanent tenure, terminable under conditions identical with those governing the tenure of professors. Associate professors shall be related to the administration of the institution in a manner identical with the relationship established for professors, except in matters of salary. Associate professors may be advanced to the rank of professors by the local Board of Control with the consent of the Board for Higher Education without extending a new call.

d. *Professors.* They shall be nominated, elected,

and called primarily from the ranks of associate professors in accordance with the synodical regulations governing nomination, election, and calling of professors. This position involves permanent tenure and increased salary.

6.53 Members of Faculty

The faculty of each educational institution of Synod except Concordia Seminary, St. Louis, shall be composed of the President of the institution, the professors, associate professors, and all those administrative officials who are called by the Board of Control in accordance with the regulations hereinafter prescribed. Instructors shall hold advisory membership in the faculty. At Concordia Seminary, St. Louis, the President, the deans, and the professors shall constitute the academic faculty.

6.55 Ranking of Members of Staff

The Board of Control of each institution in conjunction with the Board for Higher Education shall determine the status and rank of members of the faculty and other administrative officials and instructors, unless otherwise provided by Synod, and shall fix their salaries in accordance with the salary schedules adopted from time to time by the Fiscal Conference.

6.57 Salary Schedules

The salary schedules of all professors, associate professors, instructors, and assistants, and other officers, paid in whole or in part from the synodical funds, shall be fixed by the Fiscal Conference upon recommendation of the Board for Higher Education to the Board of Directors.

6.59 Meetings

Each faculty shall meet at regular intervals and as often as may be necessary. The President of the institution shall preside at such meetings. In his absence, the faculty shall elect a temporary presiding officer. The faculty shall elect a secretary, who shall keep a permanent record of the meetings.

6.61 Fixing of Scholarship Standards

Each faculty, subject to such standards and rules as may be prescribed by the Board for Higher Education, shall adopt rules and regulations for the admission and dismissal of students, fix the stand-

ards of scholarship to be maintained by students, determine their promotion, graduation, or failure, and make all recommendations in the matter of granting certificates, diplomas, and such academic degrees as may be conferred lawfully by the institutions.

6.63 Curricula, Standards, and Policies

Each faculty and the individual members thereof shall adopt and execute such curricula, standards, and policies as may be prescribed by Synod through the Board for Higher Education.

6.65 Rules for Extracurricular Activities

Each faculty shall from time to time, in conjunction with the Board of Control, adopt rules and regulations directing the off-campus activities of their members, the activities and the extent of students' participation in athletics, and the extracurricular interest and off-campus employment of students, so that the attainment of the educational objectives at the institution may be accomplished without unnecessary diversion.

6.67 Experience in Practical Church Work

Candidates for administrative positions, professorships or associate professorships, as a rule, should have several years' experience in the active ministry or parish school work. Associate professors or professors who are called to the faculties without having had experience in the ministry or parish school work shall be required, if they are seminary graduates, to gain such experience by assistant pastorates, summer field work, vacation Bible school, etc.

6.69 Grants in Aid

The Board of Control shall recommend subsidies for university study by Instructors when such additional study is made mandatory by changes in local circumstances (e.g., addition of courses, requests to assist in library, guidance work, etc.) beyond the control of the Instructors involved. Such recommendations are to become effective upon review and approval by the Board for Higher Education.

6.71 Leave of Absence After Ten Years

The Board of Control, with approval of the Board for Higher Education, may grant any mem-

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ber of the faculty who has served ten years a leave of absence for one semester with pay or for one year with half pay, to pursue advanced studies in his special field of work, or any other acceptable program of experience or research.

6.73 Controversies Among Faculty Members

Controversies and disagreements among members of the faculty other than those set forth in 6.81 shall be submitted to the President of the institution for mediation. If this proves unsuccessful, he shall report the matter to the Board of Control for arbitration. Upon hearing the parties, the Board's decision shall be final. A record of such proceedings shall be filed with the Board for Higher Education.

6.75 Controversies Between President and Faculty

Controversies and disagreements arising between the President and the faculty or any member thereof, other than those set forth in 6.81, which cannot be peacefully adjusted, shall be reported to the Board of Control by either party. Should the Board of Control be unsuccessful in adjusting the matter, it shall request the Board for Higher Education to act as arbiter. Upon hearing the parties, the decision of the Board for Higher Education shall be final. Records of such proceedings shall be filed with the Board for Higher Education.

6.77 Tenure of Office

All duly called administrative officials, professors, and associate professors shall have permanent tenure of office, terminable only for the following cause:

- a. acceptance of another call
- b. retirement
- c. resignation
- d. incompetency
- e. incapacity
- f. refusal to co-operate
- g. neglect of office
- h. conduct unbecoming a Christian
- i. adherence to false doctrine

6.79 Continued Service After Retirement

Administrative officials and professors shall be honorably retired at the age of 70. Any continued service after that shall be determined by the Board

of Control, in consultation with the Board for Higher Education. Such persons shall thereupon be given the title of "Professor Emeritus," or "President Emeritus."

6.81 Incompetency, Neglect, or Incapacity

The Board of Control, after due investigation of the facts and circumstances and after consultation with the Board for Higher Education, may relieve of his office any member of the administrative or teaching staff of any institution who appears to be incompetent or neglectful of his office or incapacitated for the successful performance of his duties because of physical, mental, or emotional disabilities. In such event, the Board of Control may continue his salary until he receives a call, but not exceeding six months, or may render such other financial assistance as the necessities of the case may require.

6.83 Refusal to Co-operate, Willful Neglect Unbecoming Conduct, False Doctrine

The Board of Control shall duly investigate all the facts and circumstances and shall refer its findings to the electors when a member of the administrative or teaching staff of any institution appears to be guilty of contumacious refusal to co-operate with the president and faculty of the institution and officers and Boards of Synod to an extent that will injure or interfere with the purpose and objectives of the institution, or of willful neglect of official duties, or of conduct unbecoming a Christian, or of promulgation of and adherence to false doctrine. If the electors shall find such person guilty of the offenses complained of, he shall be suspended or removed. His salary shall thereupon be discontinued, and he shall promptly vacate his living quarters.

D. THE PRESIDENT OF THE INSTITUTION

6.91 Authority and Duties

The President of each of Synod's institutions shall be the spiritual, academic, and administrative head thereof and shall be the executive officer of the Board of Control. Synod, its boards, and its members shall first of all hold him responsible in all matters pertaining to the institution. In the

exercise of his office he shall be charged with duties and vested with authority as follows:

a. He shall represent the institution in its relations to Synod and its officers and boards.

b. He shall supervise, direct, and administer the affairs of the institution in all its departments pursuant to the rules and regulations of Synod, the Board of Control of his institution, the Board for Higher Education.

c. He shall make pertinent recommendations to the Board of Control and bring to its attention matters which require its consideration or decision.

d. He shall be the academic head of the faculty and preside at its meetings. In his absence, the faculty shall elect a temporary presiding officer.

e. He shall periodically visit the classes of professors and instructors, observe their efficiency and the execution of the prescribed curriculum, and, in general, secure conformity in teaching efficiency and subject matter to the standards and policies prescribed by Synod through the Board for Higher Education.

f. He shall advise and admonish in a Christian and fraternal spirit any member of the faculty and any instructor found dilatory, neglectful, or inefficient in his duties. Should such action prove ineffective, he shall report the matter to the faculty for further fraternal discussion and persuasion. If this results in failure to correct or improve the situation, the President shall report the matter to the Board of Control for consideration and action.

g. He may in his discretion request a member of the faculty to assume temporarily one or the other of his functions or the functions of some other member of the faculty and, with the consent of the Board of Control, may transfer functions permanently to a member of the faculty, who shall assume the same unless excused for valid reasons and who shall be responsible therefor to the President.

h. He shall be the head of the Department of Religion and, if possible, give the principal courses in the same; and he shall be the pastoral and spiritual adviser of the students, unless otherwise provided by the rules and regulations of Synod.

i. He shall carefully watch over the spiritual welfare, personal life, conduct, educational progress, and physical condition of the students and, in general, exercise such Christian discipline, instruction,

and supervision as may be expected at a Christian educational institution. To that end he shall, with the advice and assistance of the faculty, draw up and carry out such rules and regulations as will be conducive to the cultivation of a Christian deportment on the part of all the students, stimulate the creation of a cultural academic atmosphere on and about the campus, and make a spiritually wholesome social and community life possible.

j. He shall be responsible for the employment, direction, and supervision of all employees of the institution and for the proper operation and maintenance of grounds, buildings, and equipment.

6.93 Vacancy

The Board of Control, in case of the temporary incapacity of the President or a vacancy in the office of President, shall designate some member of the faculty as acting President.

E. ELECTIONS

6.101 Electors

Professors, associate professors, and the required administrative officers for all positions officially created by Synod for each of Synod's educational institutions in North and South America shall be called by the respective Board of Control in accordance with the regulations of Synod. At a meeting of the Board of Control held for the purpose of electing professors, associate professors, or, such administrative officers, or for the purpose of considering final action relevant to the suspension or the removal from office of such professors, associate professors, or administrative officers, there shall be present and voting as electors: The Board of Control as a group, with one vote (the President of the synodical District not voting with his Board of Control); the President of the synodical District in which the institution is located or his official representative; the President of Synod or his official representative; the chairman of the Board for Higher Education or his official representative. The President of the institution shall be present in an advisory capacity.

6.103 President of the Institution to Make Recommendations

The President of the institution, at such an election meeting of the Board of Control, shall present the needs of his institution in the light

of his analysis of the local situation, the requirements of Synod and those of the regional accrediting agency involved; and the academic and personal qualifications of the candidates proposed. On the basis of such an analysis the President of the school shall make pertinent recommendations with regard to the choice of suitable personnel from the list of candidates.

6.105 Faculty Committee in Election of President

A faculty committee shall perform such analytical functions and make the recommendations, in the event that a President is to be called for an institution.

6.107 Call for Nominations

The Board of Control of each institution, whenever a call is to be issued to fill an administrative position or professorship or associate professorship, shall issue a call for nomination of candidates, therefor in the official publications of Synod, giving full particulars of the duties of the office and the qualifications required of its incumbent. Approval for filling vacancies must first be obtained from the Board for Higher Education.

6.109 Who May Nominate Candidates

Candidates for such positions may be nominated by congregations of Synod, the Board for Higher Education, the Board of Control, and the faculty of the institution.

6.111 Experience of Candidates

Candidates for such positions, as a rule, should have several years' experience in the active ministry or parish school work. Associate professors or professors who are called to the faculties without having had experience in the ministry or parish school work shall be required, if they are seminary graduates, to gain such experience by assistant pastorates, summer field work, vacation Bible school, etc.

6.113 Publication of Names of Nominees

All nominations, together with recommendations and statement of qualifications, must be filed with the secretary of the Board of Control which has issued a call, within thirty days of its first pub-

lication, unless the call for nominations shall fix a later date. All such information shall be made available to the President of the institution. The secretary of the Board of Control shall thereupon publish the names of such nominees in the official publications of Synod and shall also state therein the date on which the election is to be held, which shall be not less than three weeks after the date of the publication of the names of the nominees. At the same time, copies of such notice shall be sent to the President of Synod and the Board for Higher Education.

6.115 Recommendations or Objections

Additional recommendations and statements of qualifications of any nominees, or objections to any nominee with reasons therefor, must be filed with the secretary of the Board of Control before the time fixed for the election.

6.117 Election

The election shall be held on the day designated in the notice published in the official publications of Synod; and after due consideration of the recommendations and statements of qualifications submitted on behalf of any candidate, or objections to any candidate, there shall be elected from among the candidates that person best qualified for the position to be filled, or the Board of Control shall be requested to issue a new call for candidates.

6.119 Publication of Election

The name of the person elected shall be published in the next issues of the official publications of Synod.

6.121 Formal Call

The Board of Control of the institution shall extend the formal call promptly after the election.

6.123 Procedure if Call is Declined

Whenever a call is declined, the chairman shall promptly call another meeting of the electors, at which meeting the call may be reissued, or another person be elected from among the remaining candidates, or the Board of Control be requested to issue a new call for candidates.

6.125 Synod Reserves Authority to Create and Abolish Professorships, etc.

Synod reserves the power to create or abolish any administrative or teaching position at its educational institutions, determine the manner of filling the same, specify the required qualifications therefor, and designate the status of their incumbents, or delegate any or all of these powers to any of its boards or agencies, or revoke the same, notwithstanding any provisions in any of the foregoing or succeeding sections.

6.127 Appointment to Positions Not Requiring a Call

The Board of Control of each institution, under the supervision of the Board for Higher Education and with its approval, shall appoint the necessary administrative officials or teachers not required to be called, or whose election or appointment has not been provided for otherwise, and shall fix their tenure of service.

F. FINANCES**6.141 Uniform Accounting Methods**

The Board of Directors of Synod, in conjunction with the Board for Higher Education, shall establish and prescribe, on the basis of reasonable and generally accepted educational practice, uniform accounting methods, financial controls, budgetary classifications, and allocations for operating income and costs and for capital investments of each of the educational institutions of Synod.

6.143 Budget for Administrative Activities

The Board for Higher Education shall prepare an annual budget covering its administrative activities and submit the same to the Board of Directors for recommendation and for reference to the Fiscal Conference.

6.145 Budget for Operation of Institutions

Each Board of Control, in the month of June of each year, shall prepare and submit to the Board for Higher Education a detailed estimate of the income, costs of operation, replacement of equipment, and allowances for contingencies. After due consideration thereof, the Board for Higher Edu-

cation shall transmit the budget Synod should pay, to the Board of Directors for recommendation and for reference to the Fiscal Conference, which shall then fix the budget for the seminaries and colleges. If a revision or change of allocation of funds within the total budget allowance becomes necessary or advisable in the course of one fiscal year, the Board for Higher Education shall first consult with the Board of Directors for approval. Also expenditures which exceed the budget allowance must first be authorized by the Board of Directors. Expenditures from the Contingency Fund of each institution shall be made only upon approval of the Board for Higher Education.

6.147 Budget for Capital Improvements, etc.

The Board of Control, in the month of January preceding each triennial convention of Synod, shall submit to the Board for Higher Education recommendations for major repairs, capital improvements, and expansion of the physical plant and equipment and the requirements and program for improvement and expansion of its educational facilities for the succeeding triennium. After due consideration thereof, the Board for Higher Education, after consultation with the Board of Directors, shall submit the same, with its recommendations, to the President of Synod for action at the triennial convention.

6.149 Objections to or Changes in Budget

The Board for Higher Education shall give notice to the respective Boards of Control of any objection to, or of a proposed change in, the budgets, either Operating or Capital Investment, submitted by such Board, and shall, upon request, give a hearing to such Board with reference thereto, prior to transmitting the same to the Board of Directors or the President of Synod, as the case may be.

6.151 Contracts for Capital Improvements

Each Board of Control shall make all contracts for major repairs, capital improvements, and expansion of the physical plant and equipment of its institution only upon authority of the Board of Directors of Synod, after recommendation of the Board for Higher Education, and shall supervise and control the execution thereof on behalf and by order of the Board of Directors.

FOR EDUCATIONAL INSTITUTIONS

6.161 Theological Seminaries and Teachers Colleges

a. The faculties of the theological seminaries and the teachers colleges shall consider applications from congregations for temporary supply work by students of their respective institutions only when such applications have been approved by the President of the respective District.

b. Eligible candidates for calls are such students as have completed the prescribed courses of studies, have received their diplomas from their respective institutions, and have in every respect been declared qualified by the faculties for their specific type of service in the Church.

c. Graduates who desire to continue their studies after completion of the prescribed courses in our institutions or who for other valid reasons are not ready to enter office after their graduation shall be regarded as prospective candidates as long as they stand approved as such by their respective faculties. Before the faculties enter the names of such prospective candidates on the official lists for a call, they shall ascertain through personal interviews with the candidates or through satisfactory testimonials that such candidates are still qualified for service in the Church.

d. The Seminary at St. Louis and the teachers colleges are authorized to conduct summer schools under the direction of the respective Board of Control and faculty.

e. The faculties of the theological seminaries and the teachers colleges shall be represented on the Board for Parish Education; each faculty shall elect one of its members to serve for a period of three years. These faculty representatives shall be advisory members and shall attend the meetings of the Board for Parish Education at least twice a year.

6.163 Concordia Seminary at St. Louis

a. The faculty of Concordia Seminary at St. Louis shall be Synod's official doctrinal censor of all manuscripts of religious or theological nature before they are published by Synod or any of its agencies.

b. *The Lutheran Witness* and *Der Lutheraner* shall be the official organs of Synod and shall be

under the responsible editorship of the faculty of Concordia Seminary at St. Louis. The faculty together with the President and the Vice-Presidents of Synod shall appoint, and may terminate the appointment of, the editors or editorial committees.

c. Station KFUO shall be under the control of the Board of Control of Concordia Seminary at St. Louis.

d. All students of Concordia Seminary at St. Louis shall do supply work as vicars after completing at least two years at the Seminary.

e. The faculty of Concordia Seminary at Saint Louis shall offer guidance for the work of pastoral institutes and summer conferences.

6.165 Concordia Seminary at Springfield

a. The enrollment at Concordia Seminary at Springfield shall be restricted to students from special groups, such as foreign-tongue, Finnish, Slovak, etc., advanced age, and such as have limited aptitude for ancient languages.

b. Persons eligible for enrollment as students at Concordia Seminary at Springfield must have attained the age of twenty years and have completed the equivalent of a four-year high school course. Such limitations, however, shall not affect existing agreements with sister synods.

c. Students from other institutions of Synod shall be enrolled in Concordia Seminary at Springfield only if they can present proper credentials and recommendations from the faculty of the institution which they have attended.

d. All students of Concordia Seminary at Springfield shall do supply work as vicars after completing the second year of the Seminary.

6.167 Teachers Colleges

a. Students who for any reason have not completed their studies at Synod's teachers' colleges shall not be eligible for temporary or permanent engagement by congregations without the consent and approval of the respective faculties and District Presidents.

b. The number of women students to be enrolled at the teachers colleges for teacher training shall be determined from time to time on the basis of need by the College of Presidents in conjunction with the faculties of the teachers' colleges.

c. Women graduates from Synod's teachers' col-

leges of such women as have given satisfactory evidence of having met the minimum requirements set by Synod are eligible for the teaching positions in Synod's schools. To secure such positions, these women shall present themselves for placement by application to either the River Forest or the Seward faculties, who, through their placement committees, will submit these candidates to the official synodical committee for assignment of teaching positions. Congregations may secure such women teachers by making formal applications, endorsed by the respective District President, to the faculties of the teachers' colleges.

VII. PARISH EDUCATION

A. CHRISTIAN TRAINING OF THE YOUNG

7.01 Responsibility of Home and Church

God has placed the responsibility for the training of the young upon the home and the Church. To meet this responsibility, both institutions must do their full duty, each in its own sphere and both in co-operation with each other. Synod therefore urges:

- a. That every congregation in Synod keep before its members the gravity of parental responsibility and that it assist the home in every way possible to meet this responsibility.
- b. That every congregation in Synod be mindful of its own great responsibility toward the young; that it provide thorough and systematic instruction in the Bible, Christian doctrine, and Christian life; and that to this end it avail itself of such educational agencies as systematic instruction for confirmation, the Lutheran elementary school, Sunday school, Bible classes, Saturday school, vacation Bible school, weekday instruction for elementary and high school pupils, or any other means which may best fit the existing circumstances.

7.03 Instruction for Confirmation

In harmony with the best traditions of the Lutheran Church, every pastor of Synod shall regard the careful and conscientious instruction of his catechumens preparatory for confirmation as one of the primary duties of his ministry. This duty must be regarded as particularly urgent when the catechumen comes without any religious training or Christian background.

The most effective educational agency available to the Church for the Christian training of the young is the full-time parochial school. Synod therefore urges:

- a. That congregations of Synod establish Lutheran elementary schools and Lutheran high schools wherever possible, either alone or in conjunction with other congregations.
- b. That parochial schools be stressed in the mission program of the Church as a vital factor for the up-building of Christ's kingdom, both in self-sustaining and in mission congregations; and that Synod encourage the Districts to advance the cause of the parochial schools by granting subsidies to schools where such action is necessary.
- c. That congregations engage only such men and women as teachers in their schools as have been trained in Synod's teachers colleges or have the equivalent qualifications both with respect to character and professional training.
- d. That congregations extend permanent calls to teachers eligible for calls, that they pay equitable salaries to their teachers and give them such financial aid as to make further study and professional growth possible.
- e. That congregations conducting schools provide suitable and sanitary buildings to house their schools, sufficient and adequate grounds for play and recreation, and such school supplies as are essential to carry on an efficient instructional program in keeping with modern educational requirements, and that it use, as far as possible, textbooks published by Synod.

7.07 Sunday Schools

The Sunday school is an important teaching department and a valuable mission agency of the Church. Synod therefore urges:

- a. That congregations and preaching stations in Synod put forth earnest efforts to conduct Sunday schools in conformity with Lutheran principles.
- b. That all Sunday schools use Synod's Sunday school literature and Sunday school teachers' helps.
- c. That all pastors and congregations provide for careful and efficient supervision of all their Sunday schools and adequate Sunday school teacher training for all teachers, and to that end establish reg-

ular weekly Sunday school teacher meetings and Sunday school institutes, and use every other means at their disposal to improve the teaching ability of the men and women appointed to instruct the young of the Church in the sacred doctrines of the Christian religion.

d. That all Sunday school associations and institutes in Synod be supervised and directed by the respective District officers.

7.09 Other Part-Time Agencies

Other part-time agencies should be added because the Sunday school, however effective its program, is limited to one hour a week and is, therefore, inadequate as an educational agency. Therefore, Synod urges

a. that, wherever possible, congregations establish Saturday schools, providing at least two additional hours of instruction per week; that these classes be not restricted to older children preparing for confirmation, but that also younger children be enrolled and receive systematic instruction in Catechism and Bible History;

b. that congregations organize daily vacation Bible schools for children between the ages of five and thirteen; that these schools be held over a period of at least three weeks, and that they be utilized as a missionary agency;

c. that congregations introduce weekday religious instruction on released time wherever practicable, and that these released-time classes be likewise used as a means of gaining children from unchurched homes for the Sunday school and the Christian day school and as a means of gaining parents for membership classes;

d. that congregations introduce and maintain any combination of agencies that will insure the most adequate program of religious instruction for all age groups.

B. BOARD FOR PARISH EDUCATION

7.23 Membership

The Board for Parish Education, consisting of nine members — three pastors, three teachers, and three laymen — shall be elected by Synod; a representative from each of the faculties of the theological seminaries and teachers colleges shall serve in an advisory capacity.

The Board for Parish Education shall assist the congregations of Synod in co-operation with the District Boards in every possible manner in the arrangement and carrying out of a comprehensive and effective program of Christian education, so that the Gospel of Jesus Christ may become ever more effective in the life of the individual Christian and that the Biblical principle that "the fear of the Lord is the beginning of wisdom" may be and remain the basis and the motive for the entire program of parish education.

The Board for Parish Education shall, therefore,

- a. assist in planning an effective program of parish education and especially seek to improve and extend the system of parochial schools in all congregations;
- b. watch for all movements and tendencies which might endanger the program of parish education and marshal all available resources to counteract such tendencies and movements;
- c. plan and direct the production of textbooks and other printed materials necessary for the carrying out of an effective program of parish education;
- d. assist in co-ordinating and integrating the various educational agencies and activities intended to promote parish education;
- e. assist the District Boards in supervising and directing all formal educational activities of the congregations of Synod, such as the Lutheran elementary and secondary schools, the Sunday school, summer school, vacation Bible school, the part-time weekday religious school;
- f. initiate and direct research activities necessary to promote and improve parish education;
- g. advise Synod, its Districts, and congregations with respect to problems, needs, and possibilities in the field of parish education.
- h. Call an educational conference of representatives of the Boards for Parish Education of Synod and the Districts which, as a rule, shall meet every year.

7.27 Annual Budget

The Board shall annually submit a budget to the Board of Directors of Synod for recommendation and for reference to the Fiscal Conference.

The Board for Parish Education shall appoint from a list of candidates nominated by individuals, boards, conferences, or congregations, an Executive Secretary who shall, under the direction of the Board, carry out the program of duties assigned to him by the Board.

7.31 Secretary of Schools

The Board for Parish Education shall be empowered to appoint a full-time Secretary of Schools and an assistant. They shall work in the interest of our parochial schools and under the direction of the Board.

7.33 Editor of Sunday School Literature

The Board for Parish Education shall be empowered to appoint a full-time Editor of Sunday School Literature. He shall work under the direction of the Board in such areas as are assigned to him.

7.35 Secretary of Adult Education

The Board for Parish Education shall be empowered to appoint a full-time Secretary of Adult Education. Under the direction of the Board, he shall initiate, foster, and co-ordinate such adult educational endeavors as will assist the local parish and the church at large in achieving continuous Christian education in all areas of faith and life.

C. DISTRICT BOARD FOR PARISH EDUCATION

7.41 Membership

Each synodical District shall elect or otherwise provide for a committee for parish education.

7.43 Functions

The District Board shall co-operate with Synod's Board for Parish Education and shall assist and advise the local congregation in the organization and maintenance of its parish schools and offer suggestions in furthering the work of parish education.

7.45 Educational Director

The Districts of Synod are advised to provide for the systematic supervision and professional guidance and promotion of Christian education and,

to be taken whenever possible, establish and maintain the office of a full-time superintendent, director, or secretary of education, who shall be responsible to the District Board for Parish Education in the performance of his duties.

D. CONGREGATIONAL BOARDS FOR PARISH EDUCATION

7.51 Functions

Every congregation should be encouraged to elect or otherwise provide for a board or committee for parish education. This board or committee should be charged with the responsibility of encouraging parish education in all of its phases and conduct or otherwise supervise the various educational agencies of the congregation in a manner prescribed by the congregation.

E. HIGH SCHOOL ASSOCIATIONS

7.53

Congregations in the same area should be encouraged to form associations to establish and maintain high schools and to seek the advice of Boards for Parish Education of Synod and the Districts and of the Board for Higher Education for professional guidance in setting up the programs. The general supervision of such program, however, shall be with the District Board for Parish Education.

F. SUNDAY SCHOOL TEACHER TRAINING COMMITTEE

7.55 Membership and Duties

A committee on Sunday School Teacher Training, consisting of six members, shall be appointed by the President of Synod in conjunction with the Vice-Presidents. It shall provide adequate material for the training of Sunday school teachers.

G. YOUNG PEOPLE'S WORK

7.61 Purpose

The purpose of young people's work is:

a. to provide for the youth during the post-confirmation period continued training in Christian knowledge, in Christian living, and in Christian service;

b. to give special attention to those who are lax in their attendance at divine services and at the Lord's Table;

c. to seek to reclaim those who have strayed away.

Especially during the critical post-confirmation period does youth need the careful and sympathetic guidance of the Christian congregation, and it is in this endeavor that the youth program of Synod is designed to give definite aid.

7.63 Agencies and Activities

a. Young people's societies can be an effective aid in providing the young people with opportunities for training in Christian knowledge, in Christian living, and in Christian service. Every congregation should therefore consider young people's societies a valuable agency in its youth program.

b. Bible study is the most important activity in a youth program. The Bible is to occupy the most important place in the program of all young people's work. Every young people's society should be a Bible study group. The Bible must be the basis for all training in Christian knowledge, in Christian living, and in Christian service.

c. Other valuable activities for a youth program are these: Bible lectures, slide or motion-picture lectures on the Bible, Bible topic studies; debates, open forums, lectures, and discussions of topics connected with Christian life; mission study; methods of soul winning and soul keeping; history of missions at home and abroad, mission plays and pageants; hymn dramatizations; promotion of summer camps, winter conferences, leadership institutes, and wholesome recreation.

d. Practical experience in Christian service is another valuable activity. Such service might be the following: Canvassing, tract distribution, visiting and cheering the sick, caroling at Christmas and Easter, or, as opportunity permits, in institutional mission work, installing window displays and erecting highway markers, participating in the annual roll call and reunion service of the previous confirmation classes, gaining subscribers for the church and youth periodicals, establishing a library on the basis of suggestions offered by the youth leaders in the Church, or any other activities which would give the young people experience in the Church's work and thus help make them useful workers in the service of the Savior.

e. The activities of a young people's society should also meet the need of Christian fellowship and healthful, harmless amusements for the young people.

7.65 Administrative Organization

In order to help carry out an effective Synod-wide youth program, the following should be administrative organizations:

- a. The synodical Board for Young People's Work;
- b. The District Committee for Young People's Work;
- c. The Youth Committee for the Congregation;
- d. The International Walther League.

H. SYNODELICAL BOARD FOR YOUNG PEOPLE'S WORK

7.71 Membership

The Board for Young People's Work, consisting of five persons, two pastors, two teachers, and one layman, shall be elected by Synod.

7.73 Functions

a. The Board for Young People's Work shall promote work among young people in all Districts and congregations of Synod and shall encourage and guide the activities of all existing young people's societies throughout Synod.

b. The Board for Young People's Work shall effect full co-operation between the Board and the Executive Board of the International Walther League, inasmuch as the program of the International Walther League is recognized by Synod as its youth program. This is to be brought about by exchange of representatives and reports between these boards. All larger matters pertaining to young people's work which affect the congregations or Synod shall be undertaken only upon approval by the Board for Young People's Work.

c. The Board for Young People's Work shall encourage all congregations to organize their young people into young people's societies and to affiliate such societies with the International Walther League.

d. The Board for Young People's Work shall make suggestions to the faculties at our theological

seminaries and at the teachers colleges for courses in youth leadership.

e. The Board for Young People's Work shall supply suitable materials in the interest of young people's work for the official periodicals of Synod.

f. The Board for Young People's Work, together with the Executive Board of the International Walther League, shall promote the annual roll call and reunion service in every congregation of Synod and tabulate this work through the Bureau of Statistics for the purpose of retaining and regaining our confirmed youth.

g. The Board for Young People's Work shall be encouraged to arrange youth conferences.

I. THE DISTRICT COMMITTEE FOR YOUNG PEOPLE'S WORK

7.81 Election or Appointment

Each synodical District shall elect or otherwise provide for a committee for young people's work.

7.83 Functions

The District committee shall co-operate with Synod's Board for Young People's Work and shall assist and advise the local congregation in its work with the young people and offer suggestions in the interest of furthering this work.

J. CONGREGATIONAL YOUTH COMMITTEE

7.91 Purpose and Duties

The congregation shall be encouraged annually to elect a youth committee. This Committee shall have as its purpose the maintenance of close and sympathetic relations between the congregation and its young people and the furtherance of the best interests of youth work in the congregation. It shall counsel and assist young people's societies. It shall report to the congregation at its regular meetings and shall be responsible for promoting interest in, and support of, youth work within the congregation.

K. INTERNATIONAL WALTHER LEAGUE

7.95 Affiliation Advised

Synod recognizes the work of the International Walther League and advises all youth groups within Synod to affiliate with the International Walther League.

7.101 Personnel and Election

The Department of Visual Education shall be administered by a Board of seven members, two pastors, two teachers, and three laymen, who shall be elected by Synod.

7.103 Vacancies

The Board shall be empowered to fill any vacancy which may occur, subject to the approval of the President of Synod.

7.105 Functions and Duties

a. The Department of Visual Education shall serve all boards and agencies of the Synod and its Districts by producing slides, film strips, films, and other audio-visual materials, acting as a clearinghouse for the visual aid projects of Districts, organizations, congregations, and individuals.

b. The Board shall engage a man well qualified in the field of visual education, who shall plan and promote visual aids in all areas of our Church's work and shall be empowered to engage such additional technical skills as it may find necessary for the prosecution of its work.

c. The Board shall annually submit a budget to the Board of Directors of Synod for recommendation and for reference to the Fiscal Conference.

7.107 Distribution of Audio-Visual Aids

The facilities of Concordia Publishing House shall be used for the distribution of audio-visual aids and equipment wherever such an arrangement is feasible.

VIII. MISSIONS

A. SECRETARY OF MISSIONS

8.01 Appointment

A Secretary of Missions shall be appointed by the President of Synod in conjunction with the Vice-Presidents, and shall be answerable to the President of Synod.

8.03 Duties

The Secretary of Missions shall be the Executive Secretary (without vote) of the Board for Missions in North and South America and of the Church Extension Board.

The Secretary of Missions shall serve as an advisory member on the Board for Missions in Europe, on the Board for Missions in Foreign Countries, on the Board for Missions to the Deaf, and on the Board for Missions to the Blind.

8.07 Co-operation with District Boards

The Secretary of Missions shall give information to, and co-operate with, the Mission Boards and Church Extension Boards of the several Districts, and the Districts are urged to avail themselves of the Secretary's services.

8.09 Reports

The Secretary of Missions shall report to the Board of Directors and keep this Board informed as to the work of the various missions, with special reference to their financial needs.

B. MISSIONS IN NORTH AND SOUTH AMERICA

8.21 Personnel and Election of Board

The Board for Missions in North and South America shall consist of nine members—five pastors and four laymen—who shall be elected by Synod.

8.23 Vacancies

The Board shall be empowered to fill any vacancy which may occur, subject to the approval of the President of Synod.

8.25 Executive Secretary

The Secretary of Missions shall be an advisory member and the Executive Secretary of the Board.

8.27 Duties of Board

a. The Board for Missions in North and South America shall keep in close touch with the mission developments of all Districts in North and South America. It shall carefully tabulate and keep on file all information on such missions in North and South America as will help to improve and extend these missions, so that Synod's resources may be employed to the best advantage.

b. The Districts conduct and pay for missions in their respective territories. If, however, Districts

cannot meet their mission opportunities with the financial resources available in their own midst, such Districts may apply to the Board for subsidy to meet such opportunities.

c. The Board after careful investigation shall allocate an amount of subsidy to the respective Districts, which amount shall be subject to adjustment at the end of the fiscal year, such adjustment to be made on the basis of actual mission needs and available funds. The total budget of the Board, including such subsidies, shall be submitted annually to the Board of Directors of Synod for recommendation and for reference to the Fiscal Conference.

d. The subsidized Districts shall be required to report to the Board at least once each year concerning the number of missionaries and stations served, the salaries paid, the receipts and disbursements (for both home and synodical purposes), and on such other matters as will give a true picture of mission work done in the Districts.

e. The Board may arrange for mission conferences to be held in the intervening years between the conventions of Synod. These conferences shall be attended by representatives of the Board, the Church Extension Board, and the Mission Boards of the Districts in North America. The work of missions in all its phases shall be discussed at these conferences.

C. MISSIONS TO THE DEAF

8.31 Personnel and Election of Board

The Board for Missions to the Deaf shall consist of five members, three pastors and two laymen, who shall be elected by Synod.

8.33 Vacancies

The Board shall be empowered to fill any vacancy which may occur, subject to the approval of the President of Synod.

8.35 Secretary of Missions Advisory Member

The Secretary of Missions shall be an advisory member of the Board.

8.37 Functions and Duties

a. The Board for Missions to the Deaf shall conduct the missions among the deaf, and to that

end it shall have power to call, recall, and dismiss missionaries, direct their activities, and establish all general policies and practices to prevail in these missions, always safeguarding the rights of the congregation or congregations involved.

b. The Board shall publish Synod's publications for the deaf. All publications issued by, and in the interest of, the deaf shall be subject to censorship by the faculty of Concordia Seminary at St. Louis.

c. The Board shall annually submit a budget to the Board of Directors of Synod for recommendation and for reference to the Fiscal Conference.

D. MISSIONS TO THE BLIND

8.41 Personnel and Election of Board

The Board for Missions to the Blind shall consist of five members, three pastors and two laymen, who shall be elected by Synod.

8.43 Vacancies

The Board shall be empowered to fill any vacancy which may occur, subject to the approval of the President of Synod.

8.45 Secretary of Missions Advisory Member

The Secretary of Missions shall be an advisory member of the Board.

8.47 Functions and Duties

a. The Board for Missions to the Blind shall conduct the missions among the blind and to this end promote and augment the library for the blind; interest itself in, and, if possible, introduce the use of talking books and similar modern aids; provide more help and equipment for transcribing books and pamphlets; publish a Lutheran magazine for blind adults and for blind children; and publish literature for the blind also in Spanish and in German.

b. The Board shall appoint a Director of Missions to the Blind and such other personnel as may become necessary.

c. The Board is to co-operate with, and carry on its work, through the District Home Mission Boards.

d. The Board shall annually submit a budget to the Board of Directors for recommendation and for reference to the Fiscal Conference.

E. MISSIONS IN EUROPE

8.51 Personnel and Election of Board

The Board for Missions in Europe shall consist of five members — three pastors and two laymen — who shall be elected by Synod.

8.53 Vacancies

The Board shall be empowered to fill any vacancy which may occur, subject to the approval of the President of Synod.

8.55 Secretary of Missions Advisory Member

The Secretary of Missions shall be an advisory member of the Board.

8.57 Duties and Functions

a. The Board for Missions in Europe shall conduct, promote, or assist in all church work carried on in Europe by Synod or affiliated bodies.

b. The Board shall annually submit a budget to the Board of Directors of Synod for recommendation and for reference to the Fiscal Conference.

F. MISSIONS IN FOREIGN COUNTRIES

8.71 Personnel and Election of Board

The Board for Missions in Foreign Countries shall consist of eleven members, of whom at least six shall be pastors. It shall, if possible, include a former missionary from China and one from India. It shall be elected by Synod.

8.73 Vacancies

The Board shall be empowered to fill any vacancy which may occur, subject to the approval of the President of Synod.

8.75 Secretary of Missions Advisory Member

The Secretary of Missions shall be an advisory member of the Board.

8.77 Organization of Board

The Board for Missions in Foreign Countries shall elect its officers and shall meet as often as may be necessary. It shall appoint committees from

its own membership one committee for missions in China, another for missions in India, and such other committees as it may deem necessary.

8.79 Duties and Functions

- a. The Board for Missions in Foreign Countries shall conduct the missions in India and China and such other missions as may be undertaken among non-Christian people.
- b. It shall be authorized to call, recall, and dismiss missionaries, and assign them to the districts and stations in which they shall work, always safeguarding the rights of the congregation or congregations involved.
- c. It shall determine the general policies and practices which are to prevail in these missions.
- d. It shall draft the necessary regulations for its committees, which shall transact such routine business as may be assigned to them by the Board.
- e. The Board shall annually submit a budget to the Board of Directors of Synod for recommendation and for reference to the Fiscal Conference.

8.81 Executive Secretary

a. An Executive Secretary and such assistants as may be necessary shall be appointed by the Board for Missions in Foreign Countries with the approval of the President of Synod.

b. The Executive Secretary of the Board for Missions in Foreign Countries and his assistants shall devote their full time to the work of missions in foreign countries under the direction of the Board, to which he shall be responsible.

8.83 New Fields, Foreign Countries

The Board for Missions in Foreign Countries may begin work in foreign countries other than China and India in the time intervening between conventions of Synod, with the approval of the President of Synod, the Board of Directors, and the College of Presidents.

8.85 Training of Missionaries

The Board for Missions in Foreign Countries, in conjunction with the Board of Directors and the faculty of the St. Louis Seminary, shall make the necessary provisions for the specific preliminary training of its missionaries.

8.87 Training of Women

The Board for Missions in Foreign Countries may make provision for the training of wives and future wives of missionaries and of women workers in foreign missions.

8.89 Resident Superintendents

The Board for Missions in Foreign Countries, together with the President of Synod, shall call or appoint resident superintendents of missions in China and in India and in other countries that may be added. The Board shall define the duties of these resident superintendents.

G. CHURCH EXTENSION BOARD

8.101 Personnel and Election of Board

The Church Extension Board shall consist of six members — two pastors, two teachers, and two laymen — who shall be elected by Synod.

8.103 Vacancies

The Board shall be empowered to fill any vacancies which may occur, subject to the approval of the President of Synod.

8.105 Executive Secretary

The Secretary of Missions shall be an advisory member and the Executive Secretary of the Board.

8.107 Duties of Board

The Church Extension Board shall administer Synod's Church Extension Fund and grant loans in accordance with Synod's regulations.

8.109 Treasurer of Synod as Depositary

The Treasurer of Synod shall be the depositary of the Church Extension Board and custodian of its assets. He shall make the collections, do the essential accounting, and make a monthly report to the Board.

8.111 Report of Board

The Church Extension Board shall publish the total amounts of loans outstanding, and the amounts delinquent in each District, in its report to Synod.

a. Loans shall be granted only to incorporated Districts and, with the consent of the Board of Directors, to the Board for Missions in Europe and to the Board for Missions to the Deaf and the Blind. Each loan shall be made for a specific congregation or mission station, and the merits of each case shall justify the loan.

b. The total of the loan or loans for any congregation or mission station shall not, without the consent of the Board of Directors, at any one time exceed \$20,000 in the aggregate.

c. The Church Extension Board requires repayment of no less than 10 per cent of the loan per annum except in such cases as operate with a graduated scale.

d. An administration fee shall be charged at the rate of one per cent per annum on the unpaid balance, payable annually on the anniversary of the loan.

e. The borrowing District shall give its notes, signed by its corporate officers, as security for loans.

H. STUDENT SERVICE COMMISSION

8.131 Personnel and Election of Commission

A Student Service Commission consisting of two pastors and one layman shall be elected by Synod.

8.133 Functions

a. The Student Service Commission shall assist the Districts of Synod in caring for the spiritual welfare of members of Synod who are attending colleges and universities not affiliated with Synod.

b. The Commission shall annually submit a budget to the Board of Directors of Synod for recommendation and for reference to the Fiscal Conference.

8.135 Executive Secretary of Commission

An Executive Secretary shall be appointed by and be responsible to the Student Service Commission. He shall perform such duties as are assigned to him by the Commission. He shall serve in an advisory capacity to the Student Service Commission and to whatever agency is responsible for student service work in any District.

8.137 District Co-ordinators

Each District is urged to appoint a Co-ordinator of Student Work.

I. ARMED SERVICES COMMISSION

8.151 Personnel and Appointment

An Armed Services Commission consisting of five pastors and two laymen shall be appointed by the President of Synod, in conjunction with the Vice-Presidents. As emergencies arise, the personnel of this Committee may be increased.

8.153 General Duties

The Commission shall:

a. function as a liaison agency between the chiefs of the Armed Services and Veterans Administration, and the chaplains representing Synod;

b. endeavor to keep our Church well represented in all branches of service by soliciting and processing applications for appointment as chaplains in the Armed Services, Reserve Corps, and Veterans Administration;

c. maintain an executive office and appoint an executive secretary if and when necessary;

d. work in close co-operation with synodical and District officials and give information to them concerning the service maintained by the Commission;

e. annually submit a budget to the Board of Directors of Synod for recommendation and reference to the Fiscal Conference;

f. report to Synod on its activities.

8.155 Chaplains

The Commission shall:

a. give counsel to chaplains;

b. insist on regular monthly reports to the Commission from chaplains on active duty;

c. withdraw ecclesiastical endorsement from such chaplains as depart from the accepted Scriptural teachings and practices of our Church body or persist in ungodly life, or when it is demanded for the good of the services;

d. provide financial support for a reasonable length of time for chaplains who have been honorably discharged from the service.

The Commission shall:

- a. keep an accurate record of all men serving in the various branches of the Armed Services;
- b. urge the pastors of Synod to keep the Armed Services Commission informed concerning the men and women of their congregations who enter the Armed Services;
- c. provide Christian literature for the men and women in the Armed Services;
- d. maintain service centers when and where needed and call pastors to operate them, conduct divine services, administer the Sacraments, and offer pastoral counsel.

8.159 The Military and Veterans in Hospitals

The Commission shall:

- a. provide for the spiritual needs of members of our Church and of such as desire its service in hospitals maintained by the Armed Services and Veterans Administration;
- b. endorse chaplains for Veterans Administration Hospitals;
- c. secure the services of civilian pastors to minister in hospitals not served by a chaplain of our Church;
- d. provide hospital chaplains and pastors with appropriate literature;
- e. review the monthly reports submitted by all hospital chaplains and pastors.

IX. FINANCES

A. APPROPRIATIONS

9.01 Two-Thirds Majority

Appropriations by Synod shall require a two-thirds majority of all votes cast at a convention.

B. FISCAL CONFERENCE

9.03 Membership and Organization

The Fiscal Conference shall be composed of the President, the Vice-Presidents, the members of Synod's Board of Directors, the District Presidents, and one fiscal officer from each District. The Fiscal

Conference shall triennially elect a chairman and a secretary. The chairman shall be chosen from among the Vice-Presidents of Synod.

9.05 Duties

The Fiscal Conference shall meet annually at the call of its chairman to:

- a. review and discuss the financial situation of Synod;
- b. fix the synodical budget;
- c. devise ways and means to raise the budget;
- d. suggest improvements in the financial situation of Synod;
- e. help the various Districts solve their financial problems.

9.07 Expenses

The expenses of the meetings of the Fiscal Conference shall be paid by Synod.

C. BOARD OF TRUSTEES OF SYNOD'S TRUST FUNDS

9.21 Membership and Appointment

The Board of Trustees of Synod's Trust Funds shall consist of the President or one of the Vice-Presidents of Synod, to be chosen by the Board of Directors, the Treasurer of Synod and five (5) members to be appointed by the Board of Directors from the laity of Synod.

9.23 Term of Office

The five (5) lay members of the Board of Trustees of Synod's Trust Funds shall be appointed for a term of three (3) years. No lay member shall be appointed to succeed himself more than once.

9.25 Vacancies

Vacancies occurring in the lay membership of the Board of Trustees of Synod's Trust Funds shall be filled by the Board of Directors.

9.27 Duties and Powers

- a. The Board of Trustees of Synod's Trust Funds shall manage, conserve, and be responsible for all legacies, bequests, devises, endowments,

foundations, annuity gifts, and all other trust funds of Synod and of Synod's institutions and activities. It shall have power to buy, sell, invest in, and reinvest in, securities in accord with rules drafted by the Board and approved by the Board of Directors.

b. The Board shall also look after Synod's interests in matters of estates in process of administration until final distribution has been made.

9.29 Executive Committees

The Board of Trustees of Synod's Trust Funds shall be authorized to appoint such executive committees from its own membership as it may find necessary for the efficient and punctual performance of its duties; but it shall be responsible to the Board of Directors for the actions of such committees as well as for its own actions.

D. ANNUITIES

9.41 Synod's Policy

Annuity agreements may name as ultimate beneficiary any activity of Synod or one of its Districts, which activity is operated by, or is solely under the control of, Synod or one of its Districts.

9.43 Annuity Agreements

Annuity agreements may be made with individual annuitants (single-life agreements) or with two annuitants (joint or survivorship agreements).

9.45 Annuity Rates

The annuity rates payable to annuitants shall be fixed by the Board of Directors.

9.47 Administration of Funds

The annuity funds shall be administered by the Treasurer of Synod.

E. EMERGENCY RELIEF

9.61 Personnel and Appointment of Board

The Board for Relief shall consist of three members — two pastors and one layman — who shall be appointed by the Board of Directors. The Board of Directors shall fill any vacancy.

a. The Board for Relief shall give temporary assistance, either by making donations of money or by lending money without interest, to congregations and brethren in this or in foreign countries, if they are in urgent need owing to calamities, such as floods, famines, wars, fires, earthquakes, etc., and if relief cannot be granted by neighboring congregations or the respective District.

b. The Board for Relief shall also take the initiative if relief becomes necessary beyond the confines of our Church.

c. The Board shall be authorized to make special appeals for aid and distribute the moneys received in accordance with the need.

d. The Board for Relief may, in conjunction with the respective District President, appoint subcommittees to assist in distributing moneys.

e. The Board for Relief shall retain in the treasury for cases of emergency any funds received in excess of those needed for any special purpose of relief.

F. SOLICITATION OF FUNDS

9.71 Collection Beyond Congregational Bounds

Individuals, congregations, or groups of congregations within any District shall not collect moneys in the District beyond the confines of the respective congregations without obtaining the approval of the District or its officials. This also applies to institutions, societies, or associations located within a given District.

9.73 Collections Beyond District Bounds

Approval of the Board of Directors shall first be obtained whenever the financial assistance of members of Synod at large is sought. Plans for such financial assistance shall be arranged with due regard for collections within a District.

9.75 Approval Is Recommendation Only

The approval by Synod, or by a District, of any special undertaking referred to in 9.71 and 9.73 shall be only a recommendation and shall not be construed to obligate Synod or a District, as such, to support the undertaking financially.

X. SUPPORT AND PENSIONS

A. BOARD FOR SUPPORT AND PENSIONS

10.01 Personnel and Election

a. The Board for Support and Pensions shall consist of ten members — three pastors, two teachers, and five laymen — who shall be elected by Synod.

b. The chairman, secretary, and three lay members to be appointed by the Board and residing within convenient distances, shall constitute the executive committee of the Board. They shall attend to such business as is assigned to them by the Board.

10.03 Vacancies

The Board shall be empowered to fill any vacancy which may occur, subject to the approval of the President of Synod.

10.05 Duties

The duties of the Board for Support and Pensions shall be:

a. to grant support upon recommendation of the subcommittees hereinafter mentioned;

b. to report its decision in any individual case to the respective District subcommittee;

c. to send semiannually to the respective District subcommittees a report of the number of persons cared for, the amount of money expended, and other relevant facts;

d. The Board shall annually submit a budget to the Board of Directors of Synod for recommendation and for reference to the Fiscal Conference.

10.07 Executive Secretary

The Board for Support and Pensions shall appoint an executive secretary.

10.09 District Subcommittees

Every District shall elect or appoint a subcommittee of the Board for Support and Pensions and fix the number of members and time of service.

10.11 Duties of Subcommittees

The duties of the District Subcommittee shall be:

a. to investigate the applications of all persons

who ask for support and to report its findings and recommendations to the Board;

b. to represent the Board for Support and Pensions in its District.

10.13 Persons Entitled to Support

The following persons shall be entitled to support:

a. Professors, pastors, and teachers who on account of old age or illness have been compelled to resign their office and whose pension annuities are not sufficient for their reasonable needs.

b. The widows of professors, pastors, and teachers, and their children up to 18 years of age, provided they are in need of support.

c. Servants of the Church who were called and employed by eleemosynary, educational, missionary organizations, and boards within Synod and are advisory members of a synodical District, and missionaries, pastors, professors, and teachers serving Synod in home and foreign countries and their dependents or survivors.

d. Women teachers, and women workers otherwise professionally engaged in church work, incapacitated after years of faithful service and with no other means of support. These may be considered in the same class with pastors' and teachers' widows.

10.15 Persons Not Entitled to Support

The following persons shall not be entitled to support:

a. Professors, pastors, and teachers

(1) Who through illness have been compelled to resign, but are able to support themselves in some other manner.

(2) Who have sufficient means, so that they need not be supported by Synod.

(3) Who for sufficient reasons have been compelled to resign or who without good reasons, of their own accord, have resigned. Such cases shall be decided by the Board after having consulted with the respective synodical officers.

b. Widows who have remarried or who have obtained employment enabling them, in the opinion of the Board, to support themselves.

The lists of pastors, teachers, and professors appearing in the current records of the various Districts shall be the official lists for the purpose of the Board for Support and Pensions.

10.19 Application for Support

Each application for support shall be addressed to the Board for Support and Pensions and shall be investigated and endorsed by the subcommittee of the District in which the applicant was living at the time when support was applied for. The Board may, however, ask the subcommittee of the District to which the applicant has removed to supervise the case.

10.21 Support and Pensions Conference

The Board for Support and Pensions shall meet from time to time with the representatives of the District subcommittees for the purpose of achieving greater co-ordination of efforts and uniformity of practice.

B. LUTHERAN LAYMEN'S LEAGUE ENDOWMENT FUND

10.31 The Covenant

The Lutheran Laymen's League Endowment Fund has been collected with the promises that it is to be a permanent fund and that the proceeds are to be used for the care of our Veterans of the Cross, namely, our incapacitated pastors, professors, teachers, and the widows and orphans of deceased pastors, professors, and teachers. Therefore, the Lutheran Laymen's League has turned this fund over to Synod under these two unalterable conditions, namely:

a. The capital fund may be increased, but it must never be reduced or disposed of.

b. The proceeds must always be used for the care of our Veterans of the Cross in the manner adopted by Synod for this purpose and must not be used for any other purpose.

Except for these two conditions, the Lutheran Laymen's League has placed this fund into the hands of Synod unconditionally and without stipulations.

C. THE PENSION PLAN

FOR PASTORS AND TEACHERS

10.41 Definitions

a. "The Board." The Board for Support and Pensions.

b. "The Pension Fund." The fund created by the regular contributions of the workers, combined with the contributions of the congregations and salary-paying boards, and by special donations, to which is to be added interest as credited by the Board.

c. "The Contingent Fund." The fund to be created by the accumulation of certain amounts set aside for that purpose as provided in Section 10.45, paragraphs f and g; 10.49, paragraphs a and b; or by special gifts and legacies. This Contingent Fund will be used for supplemental benefits at the discretion of the Board.

d. "Annuity." The sum that shall accrue annually to the beneficiary, payable in monthly or other convenient installments.

e. "Fiscal Year." The period from October 1 to September 30.

f. "Workers."

(1) Regularly called professors, pastors, missionaries, and teachers who are members of the Missouri Synod.

(2) Graduates of Synod's seminaries and non-graduate supply workers who are engaged in regular church work under contract with a congregation or board.

(3) Women teachers and women workers otherwise professionally engaged in church work. Whenever the masculine pronoun is used, it shall be construed to include women workers.

g. "Members' Contributions." The payments of members shall be fixed at the rate of 4 per cent of the workers' salary basis as herein defined.

h. "Employers' Contributions." The payment of the congregations and other salary-paying organizations shall also be fixed at the rate of 4 per cent of the respective workers' salary basis as herein defined.

i. "Salary Basis." The salary basis for the purposes of the Pension Fund shall be the fixed salary, and in cases where a parsonage or similar free

official residence is furnished the worker, this privilege shall be considered the equivalent of 15 per cent of his fixed salary and shall be added thereto. If both lodging and board are provided in addition to salary, the fixed salary is considered as being increased by 40 per cent.

j. "Personal Accumulation." The amount credited to a member from his personal contributions and the interest thereon as set forth in Section 10.43, paragraphs a to c.

k. "Allocations." The amounts credited to a member from the contributions, and the interest thereon, remitted by a congregation or a salary-paying board, as set forth in Section 10.43, paragraphs d—i.

10.43 Contributions to the Pension Fund

a. Every worker will become eligible for the benefits of the Pension Fund by paying to the Pension Fund the required members' contributions. All such payments shall be credited in full to his respective individual account, and the sum of such payments or personal accumulation (10.41 j) shall be held by the Board for the respective workers. Interest shall be credited to each such individual account at the close of each fiscal year on the total accumulation at the end of the previous fiscal year at the rate determined by the yield on investments of the Fund. Such interest shall become part of the reserve and shall be compounded annually.

b. Any worker or beneficiary may at any time make contributions additional to the required members' contributions. Such contributions are to be credited to his individual account in full in the same manner as the regular members' contributions. On thirty days' notice from the worker the Board may refund to him a part or all of the amount contributed by him over and above his regular members' contributions and not yet applied to provide an annuity for him, provided, however, that his members' contributions are made in full and to date, it being understood that the Board shall have the right to apply any such additional accumulation to pay the arrears of the member's contributions.

c. A worker who makes only a partial payment may request that such partial payment be carried forward as a credit on the member's contribution for the succeeding year or years.

a. The congregation or board having the services of a worker shall also be held to make regular contributions to the Pension Fund as required under Section 10.41 h.

e. After the completion of each fiscal year the contributions by their congregations and/or Boards which have been paid in full shall be credited to those workers who in that year have remitted full contributions.

f. Employers' payments paid for a non-member are held in suspense until he joins the pension plan and matches their payment. If he fails to join, such payments shall be added to the Contingent Fund.

g. In the event that only a partial payment be made by a congregation or board within a year, such partial payment shall be credited to the respective workers' account provided he has remitted at least an equal amount.

h. All contributions shall be made monthly, quarterly, semiannually, or annually in advance.

i. Any congregation or board may at any time make payments in addition to the required contributions, which are to be credited in full to the respective individual accounts, provided that all required contributions have been made in full on account of such workers.

10.45 Benefits of the Pension Plan

a. The worker, upon his retirement, after attaining the age of sixty-five years (or later), or in the event of total and presumably permanent disability prior to attaining the age of sixty-five, shall receive an annuity provided from the accumulated value of his personal accumulation (10.43, a to c) and his allocations from the contributions of the congregations and Boards which he has been serving (10.43, d to h). Such accumulation shall be applied to provide an annuity for the worker and his widow and his orphaned children under seventeen years of age or up to eighteen years of age if the child is attending school, according to the tables adopted by the Board.

b. Retirement shall be construed as the giving up of a pastorate, office, or position and the termination of a salary relationship by a worker who has attained the age of sixty-five years, or who is compelled to resign on account of total and presumably permanent disability, and whose salary

relationship thereby is terminated. Disability must be certified to by a competent physician and the officials of the respective District as well as by the member himself and must be approved by the Board, with the right to call for proof of continued disability from time to time, by a competent physician chosen by the Board. If the disabled worker recovers sufficiently to resume active work (church or secular), he must inform the Board immediately, and the Board may reduce or terminate his disability pension and require him and his congregation to resume the contributions if he returns to church work. Incidental, temporary, or limited church work of a non-permanent nature shall not be deemed to invalidate a worker's retirement status.

c. The annuity of a widow whose husband at the time of his death was receiving an annuity shall be an amount equivalent to 50 per cent of her husband's annuity except as provided in Section 10.45 f.

d. The orphans' annuity shall be 25 per cent of the father's annuity, provided that the total widow's and orphans' annuity shall not exceed the father's annuity.

e. In the event that a worker marries while receiving an annuity, his widow and her children shall have no claim on the benefits of the Pension Fund.

f. In the event of the death of a worker before entering upon an age or disability annuity, the accumulation to his credit from all sources shall be applied toward providing an annuity for his widow and orphans under seventeen, respectively eighteen, years of age. However, in no case shall the widow's and orphans' annuities exceed the 50 or 25 per cent that would have been provided for them in the event that the worker had continued in active service until the attainment of the age of sixty-five on the salary basis of the last twelve months of service, provided, however, that this rule shall not be applied (a) if the widow's annuity provided by the accumulation is less than \$300, or (b) to reduce below \$300 a widow's annuity provided by the accumulations which would otherwise be in excess of \$300. An accumulation thus released shall be credited to the Contingent Fund (10.41 c).

g. In the event of the death of a worker before entering upon an age or disability annuity and of

his leaving no widow and no minor orphans, that part of his accumulation which originated from his personal contributions (personal accumulation, 10.43 a-c) shall be remitted to his adult children or other legal representative, provided the worker has instructed the Board in writing to do so. If no such instruction has been given and no disposition has been made by the worker in his will, the balance of the entire accumulation shall be added to the Contingent Fund (10.41 c).

h. If a member receiving retirement or disability annuity or a widow receiving an annuity ceases to be a member of a congregation connected with the Synodical Conference, such annuity shall be terminated as soon as the sum of all annuity payments shall equal the personal accumulation when the first annuity was entered upon. The same applies to a widow who remarries.

10.47 Special Benefits of the Pension Plan

The following special benefits are not paid from the Pension Fund, but from Synod's Budget.

a. (1) Death Benefit. For the families of members paying dues or drawing retirement pensions who have joined within three months after they became eligible for membership (Oct. 1, 1937), or when they became active, and who have remitted from that date continuously, a cash death benefit shall be immediately available. For those who have joined more than three months after they became eligible the death benefit will become operative six months after entry, and for those who were reinstated after a delinquency of sixty days or more it shall become operative after a period corresponding to the duration of the delinquency, but in no case longer than six months, under like conditions.

(2) The death benefit shall be such an amount as available funds justify, but is not to exceed \$250 for members whose salary-paying organization or organizations did participate, and is not to exceed \$150 for members whose organizations did not participate, provided that in the case of a member or his organization deferring the taking of membership such benefit will be reduced at the rate of \$25 for each year of delayed membership; but in no case shall the reduced amount be less than \$100. A like reduction shall apply in the case of any year of membership during which the required contributions of the member or of his participating organization were not paid in full. For those who remit

from October 1, 1938, the \$25 for not participating during the first year shall not be deducted, but the death benefit shall not become operative until six months after entry, except for workers who have joined three months after becoming eligible. In the case of candidates the circumstances bringing about the delay shall be taken in consideration with a view to removing the reduction.

(3) A period of sixty days' grace shall be allowed in making the payments. In the event of death during the grace period the death benefit shall be paid after the arrears have been remitted in full.

In order to encourage all workers and organizations to cultivate punctuality and regularity, and in fairness to those members who have remitted on time and in full, the death benefit is forfeited when the member and the organization are in arrears more than sixty days. If both worker and employer participated, but one of the accounts is delinquent, the death benefits shall be reduced in the amount of \$25, for every fiscal year in which one account is not paid in full, or \$50 if both accounts are not paid in full, but in no case shall the reduced amount be less than \$100.

Upon remittance of the back dues with interest from the due date to the date of settlement at the rate of five per cent per annum and the resumption of regular payments the delinquent account may be reinstated as stated in 10.47 a (1).

b. (1) Old-Age Benefit. A worker retiring at the age of 65 or over, or his widow, shall be granted a free subsidy for life, to increase his earned pension annuity to such an amount as may from time to time be determined by Synod, provided that the worker has been active in Synod for at least 25 years and that his widow was married to him for at least ten years prior to his retirement. If this income does not provide for the reasonable needs, the Board for Support and Pensions shall supplement the annuities after the regular application has been submitted and according to the current rates.

(2) A corresponding reduction of the worker's and widow's subsidy is to be made if the worker failed to join within three months after he became eligible for membership or if his salary-paying organization participated not at all or only in part.

(3) A worker retiring at the age of 65 or over shall be entitled to receive his Old-Age Benefit in

full if his annual earnings from church work and/or secular work do not exceed an average of \$90 per month. If he receives average earnings in excess of \$90 per month from church work and/or secular work, a corresponding reduction shall be made in his Old-Age Benefit.

In all borderline cases the Board for Support and Pensions shall be the judge, basing its verdict upon the principles of right, tempered with Christian love and charity.

c. Synod will pay upon request for every pastor or teacher graduate one half of his personal contribution for the first two years from the date when he became eligible for membership, and one quarter of his dues for the following two years, provided —

(1) That the graduate has remitted one half, respectively three quarters, of his Pension dues from the date when he became eligible for membership; and

(2) That he has joined twelve months after he became eligible; and

(3) That the employing organization is participating in full.

These subsidies will be credited to his personal accumulation, but will not be included in the refund to which he will be entitled in the event of his withdrawal from service under paragraph 10.49.

Women teachers and women workers otherwise professionally engaged in church work who are graduates of one of Synod's educational institutions are included.

d. The Fiscal Conference is authorized and instructed to make the necessary appropriations for the death benefit and the old age subsidy.

10.49 Workers Leaving Service

a. A worker leaving the service of Synod or any component part thereof before the retirement age, except for disability, relinquishes all claims for benefits provided under Sections 10.45 and 10.47. He shall have the right, however, to withdraw all payments made by him under Section 10.43 a—c, and the interest thereon, but all accumulations made for this account under Section 10.43 d—h shall be transferred to, and become a part of, the Contingent Fund as defined by Section 10.41 c.

b. A worker leaving the service before retirement for reasons other than total disability, but remaining eligible for, or intending to accept again, a call within Synod, may discontinue the payments required under Section 10.43 a—c provided he has no income. If his income warrants it, such worker shall pay eight per cent of his income to the Pension Fund in order to remain eligible for the Pension benefits. His personal accumulation shall remain in the custody of the Board until it becomes evident that he will not return to office or dies before reinstatement. When a District, through its officials, has informed the Board that such a worker is no longer considered an advisory member of that District, or when he has died, the Board shall return his personal accumulation to him or his personal representative, and all claims under Sections 10.45 and 10.47 shall terminate. All accumulations made for his account under Section 10.43 d—h shall be thereupon transferred to, and become a part of, the Contingent Fund.

10.51 Operating Expenses

The Board of Directors shall appropriate the funds for the expense incurred by the operation of the Pension Fund.

10.53 Accounting and Investing of the Pension Fund

a. The Treasurer of Synod shall be the treasurer and custodian of the assets of the Pension Fund, and he shall do all the essential accounting. Disbursements for other than investment purpose shall be made only on order of the Board for Support and Pensions.

b. The Board of Trustees of Synod's Trust Funds shall keep the assets of the Pension Fund invested in accord with Synod's rules governing the investment of trust funds.

10.55 Amending the Pension Plan

The plan or any part thereof may be amended (a) by Synod assembled in regular convention, provided that the proposed amendment has been submitted in writing to the Board not less than seven weeks prior to the opening of the convention and has been printed in the official Reports and Memorials to the Delegate Synod; or (b) by the Board with the consent of the Board of Directors, subject to ratification by Synod.

D. RETIREMENT PLAN FOR LAY EMPLOYEES

The Lutheran Church — Missouri Synod has authorized the formation of a retirement plan for its lay employees. The Board of Directors of Synod has approved the plan here presented for all the employees of Synod and its agencies.

10.61 Purpose of the Plan

The plan provides an income for lay employees after retirement age by means of regular contributions to a retirement fund. The plan is adopted in grateful appreciation of the long years of conscientious service rendered by the employees and with the hope that a retirement income will in a measure make their lives more comfortable.

10.63 Definitions

The following words and phrases shall have the respective meanings herein provided unless different meanings are plainly indicated by the context:

a. "The Plan" shall mean the Retirement Plan for Lay Employees of The Lutheran Church — Missouri Synod, as hereinafter described.

b. "The Effective Date of the Plan" shall be January 1, 1948.

c. "Synod" shall mean The Lutheran Church — Missouri Synod.

d. "Employer" or "Employers" shall mean Synod, Concordia Publishing House, and such other agencies of Synod as have corporate existence by authority of Synod.

e. "Employee" or "Employees" shall mean a person or persons regularly employed by one of the employers in a lay capacity who receives compensation (wages or salary or their equivalent) for personal services in a position the duties of which ordinarily require full-time employment during the entire year. Temporary, special, or probationary employees shall not be considered "employees" as the term is herein used, nor shall persons be considered "employees" who are currently eligible under Synod's Pension Plan for its professional workers.

f. "Participant" shall mean any employee included in the Plan, as provided in Section 10.65.

g. "Compensation" shall mean wages or salary paid to employees for personal services rendered.

It shall include overtime and vacation pay, any bonuses, and board and lodging as part of their pay, the fair monetary value of such board and lodging to be determined by the employer and included in their compensation for the purpose of determining retirement benefits.

h. "Creditable Service" shall mean the aggregate of years and months of continuous service, not in excess of 30 years, rendered by a Participant after attainment of age 35 and prior to attainment of age 70. Creditable Service may include service prior to the Effective Date of the Plan. In the event that a Participant shall have rendered more than 30 years of service between ages 35 and 70, the first 30 years of such service shall constitute the period of Creditable Service.

i. "The Retirement Committee" shall mean the committee appointed to administer the Plan, as provided in Section 10.85.

j. "Trust" shall mean the Trust created as herein provided, and all amendments thereto.

k. The masculine pronoun wherever used shall include the feminine.

10.65 Participation

a. Every employee between the ages of 35 and 55 on the Effective Date of the Plan shall automatically become a Participant as of that date. (See Section 10.67 for employees over age 55.)

b. Every employee under the age of 35 on the Effective Date shall automatically become a Participant upon the 35th anniversary of his birth. Every new employee hired after the Effective Date under the age of 55 shall automatically become a Participant at date of hiring or upon the 35th anniversary of his birth, whichever is later.

c. After having once become a Participant, an employee shall continue to be a Participant as long as he is continually employed by Synod or by any of its agencies. Even if a Participant transfers from one agency of Synod to another, he will continue to remain under the Plan, without loss of Creditable Service.

d. When a Participant has retired under the Plan, he shall be known as a "Retired Participant."

e. Participation shall be terminated by death or by withdrawal from service as an employee prior to retirement. Upon re-employment after with-

drawal from service an employee shall be considered as a new employee for the purpose of the Plan and is not entitled to any credit for service rendered prior to the last date of re-employment.

10.67 Employees over Age 55 on the Effective Date of the Plan

a. Employees over the age of 55 on the Effective Date have been specifically exempted from participation. It is believed that any attempt to determine a retirement age for this group of employees might work injustice and hardship. Such employees may, with the consent of their employer, continue in employment as long as they desire to work and are physically and mentally able to do their work.

b. Such employees, however, are hereby given specific permission to retire, if they so desire, at any time after attainment of age 65. Such retired employees will thereupon be paid a pension, the amount of which is to be determined by the employer, subject to the approval of the Retirement Committee, but in no event in excess of the amount of retirement income to which the employee would have been entitled had he been a Participant in the Plan. Such pension will be payable from the Fund set up under the Plan.

10.69 Temporary Absence from Employment

a. Temporary absence of a Participant, or of an employee prior to participation, from service because of sickness, accident, vacation, or other cause authorized by the Retirement Committee, including service in the Armed Forces of the United States or other services of the United States during a national emergency, shall not be considered as interrupting continuous employment. The time so lost shall be included in computing the period of service and the period for determining the average monthly earnings.

b. In computing average monthly earnings for the purpose of determining retirement benefits no Compensation shall be assumed to have been earned during such period of temporary absence unless such a Compensation is actually paid, except that during authorized absence for service of the United States as above described it shall be assumed the Participant is earning Compensation at the rate last paid him by the employer.

10.71 Normal Retirement

a. The Plan contemplates retirement at age 65 for both male and female Participants; retirement to take place on the first of the month following the 65th anniversary of his birth.

b. Some Participants who were employees on the Effective Date of the Plan will wish to continue employment beyond age 65. Such Participants may continue employment to age 70 if they so desire and are able to perform the duties of their position. After age 70 continuation of employment will depend upon the request of the employee and the year-to-year concurrence of the employer.

c. Employees hired after the Effective Date of the Plan will be expected to retire at age 65 or upon completion of 30 years of Creditable Service, whichever is later, but in no event shall retirement be postponed beyond age 70. If such Participants complete 30 years of Creditable Service prior to age 70 and wish to continue as employees until age 70, they shall be permitted to do so only with the year-to-year approval of the employer.

d. The expression "Normal Retirement Date" as used herein shall mean the date of retirement after attainment of age 65 selected in accordance with paragraphs a, b, or c of this section.

10.73 Benefits upon Normal Retirement

a. The regular retirement benefit payable to each Participant who retires on his normal retirement date shall be a monthly retirement income for life equal to 1½% of the average monthly compensation during his period of Creditable Service multiplied by the number of years and twelfths of such Creditable Service.

b. The retirement income shall be payable monthly during the lifetime of the retired Participant. The first payment of retirement income shall be due on the last day of the month following the effective date of retirement, and the last payment shall be the one due in the month just prior to death.

c. The number of years of Creditable Service to be used in computing the retirement income of any Participant shall not exceed a total of thirty, including the years and twelfths prior to the Effective Date.

d. If a Participant continues employment after having thirty years of Creditable Service or after reaching the age of 70, no benefits shall be paid or shall accrue during such period of employment.

10.75 Optional Retirement Income Provisions for Dependents

a. Participants who feel that they must have a more assured income for dependents than that provided by the regular form of retirement income, which ceases immediately upon the death of the retired Participant, may choose in lieu thereof a lesser income, but one which is continued during the lifetime of a beneficiary after the death of the retired Participant.

b. Such lesser income is an actuarial equivalent of the regular retirement income and may be selected in one of the following forms:

(1) An income of less than the regular amount shall be payable to the retired Participant during his lifetime, and after his death the same amount of income shall be paid during the lifetime of a named beneficiary.

(2) An income of less than the regular amount (but greater than the income in (1)) shall be payable to the retired Participant during his lifetime, and after his death one half the amount shall be paid during the lifetime of a named beneficiary.

c. A choice of either of the foregoing optional forms of retirement income shall be subject to the following conditions:

(1) The choice must be made either at least one year before actual retirement or up to the actual date of retirement upon submission to the Retirement Committee of evidence that the Participant is in good health. If retirement is subsequently requested to be effective less than one year after an optional form of retirement income has been chosen and if the Participant does not submit satisfactory evidence of good health, then the choice is null and void, and the regular form of retirement income is payable.

(2) No change in choice of option shall be permitted after actual retirement, and changes prior to retirement shall be subject to the same conditions as an original choice.

(3) If the named beneficiary dies before the re-

tirement of the Participant, any choice shall be automatically canceled.

(4) If the named beneficiary dies after the retirement of the Participant and while the retired Participant is alive, the amount of retirement income payable to the retired Participant shall be the same as before the death of the beneficiary, and a new beneficiary may not be designated.

(5) The choice of either option and the naming of a beneficiary shall be made in writing on a form provided by the Retirement Committee.

(6) Any choice made shall not be operative nor shall the named beneficiary be entitled to any benefits thereunder until the Participant shall have retired and be entitled to a retirement income under the Plan.

(7) The first retirement income payment under either option shall be made on the last day of the month following the effective date of retirement, and the last income payment shall be that next preceding the death of the Participant or the named beneficiary, whichever is the last survivor.

10.77 Early Retirement

a. In lieu of retirement on the normal retirement date, a Participant may upon his own request and with the concurrence of the employer elect to retire earlier on the first day of any month after the 60th anniversary of his birth. The employer shall have the right to permit or require early retirement after the 55th anniversary of the birth of a Participant disabled after that age who is physically or mentally unable to perform the duties of his occupation.

b. Upon such early retirement a reduced monthly income shall be payable to the retired Participant in an amount actuarially equivalent to that which his Creditable Service to date of such early retirement would have entitled him upon retirement at age 65. Such retirement income may be paid in either the regular form or in a lesser amount under Option (1) or (2) of Section 10.75 b, provided all other requirements of Section 10.75 are complied with.

10.79 Re-employment after Retirement

If any retired Participant is restored to service as an employee, his retirement income shall cease, and he shall again become a Participant in the Plan.

Any Creditable Service to which he was entitled when he retired shall be restored to him, but the amount of his retirement income upon subsequent retirement shall not exceed the amount of retirement income previously payable to him plus the amount accrued after his return to service based on his average monthly compensation during his entire period of participating service. In no event shall such re-employment operate to entitle the Participant to a total period of Creditable Service in excess of thirty years.

10.81 No Death or Withdrawal Benefits

In order that the largest possible retirement income may be provided commensurate with the funds available, no benefits are provided under the Plan upon the death or withdrawal of a Participant prior to the time he is eligible for a retirement income.

10.83 Payment for the Plan

a. The entire cost of the Plan shall be borne by the employer. Each synodical agency shall contribute its share of the cost (actuarially determined) for the participating employees directly under its control.

b. The contributions of the various synodical agencies shall be payable at such intervals as may be agreed upon by the employers and the Retirement Committee and shall consist of a contribution to cover the normal cost of the Plan, known as the normal contribution, and a contribution to cover the cost of prior service, known as the prior service contribution. The normal cost is that level yearly cost which is necessary on the assumption that each new employee enters the Plan when first eligible. The prior service cost is a cost arising in connection with employees who have been in service prior to the adoption of the Plan and for whom future contributions at the normal rate will not be sufficient to provide the benefits under the Plan. If the prior service liability is eventually liquidated by periodic prior service contributions, the then remaining future cost under the Plan will be the normal cost.

c. Upon the adoption of the Plan, Synod paid the sum of \$50,000.00 and Concordia Publishing House the sum of \$100,000.00 into the retirement fund as an initial prior service contribution. It is the in-

tention of each to pay annually into the fund 6% of its total payroll to cover both its normal and prior service contributions until such time as the cost of prior service has been entirely paid. When either or both, Synod or Concordia Publishing House, has paid its entire prior service cost, subsequent contributions shall consist of the actuarially determined share of the normal cost.

d. All contributions to the Plan shall be irrevocable. All contributions shall be made into a retirement fund to be administered by the Trustees in accordance with Section 10.87 hereof. Upon making any contributions to the fund, all right, title, and interest of the employer shall cease with respect to such contribution except the right to require the Trustees to hold, use, and administer the fund for the benefit of the Participants. No contributions or other part of the Trust, nor any income therefrom, shall be used for, or diverted to, purposes other than for the exclusive benefit of Participants, Retired Participants, or their beneficiaries under the Plan prior to the satisfaction of all liabilities for benefits under the Plan.

10.85 Administration of the Plan

a. The Plan shall be administered by a Retirement Committee of six members, three of whom shall represent Concordia Publishing House and three shall represent Synod. At least one of the three representing Concordia Publishing House shall be on the Board of Concordia Publishing House; and at least one of the three representing Synod shall be on the Board of Synod. The Board of Directors of Concordia Publishing House shall nominate its three representatives; all six members shall be appointed by the Board of Directors of Synod. The tenure of membership shall be three years, except that the initial appointments representing Concordia Publishing House shall be for terms of one, two, and three years respectively, and the initial appointments representing Synod shall likewise be for one, two, and three years respectively. The terms of the initial appointments shall commence with the Effective Date of the Plan. Members of the Retirement Committee may resign upon sixty days' notice to the Board of Directors of Synod; and the Board may remove any Committee member. Vacancies occurring on the Retirement Committee either through resignation, removal, or expiry of tenure shall be filled as soon

b. The members of the Retirement Committee shall elect a Chairman and a Secretary. The latter may be, but need not be, a member of the Committee.

c. The Retirement Committee shall act by a majority of its members at the time in office, and such action may be taken by a vote at a meeting or in writing without a meeting.

d. All acts and determinations of the Retirement Committee shall be recorded by the Secretary thereof or under his supervision, and all such records, together with such other documents as may be necessary for the administration of the Plan, shall be preserved in the custody of the Secretary.

e. The Retirement Committee shall have authority to make such rules and regulations and take such actions as may be necessary to carry out the provisions of the Plan, decide any questions arising in the administration, interpretation, and application of the Plan. For facility of administration the data necessary to be maintained regarding Participants should be kept in the payroll departments of the various employers on uniform accounting records to be suggested by the actuary.

f. The Retirement Committee may appoint or employ such agents, attorneys, accountants, actuaries, medical advisers, and clerical or other assistants and incur such expenses as it deems necessary for the administration of the Plan.

g. It shall be the duty of the Retirement Committee to furnish Synod's Treasurer and the Board of Trustees of Synod's Trust Funds with all facts necessary or pertinent to the proper administration of the trust funds in their hands.

h. Members of the Retirement Committee shall serve without compensation.

i. The Retirement Committee shall maintain accounts showing the fiscal transactions of the Plan and shall keep in convenient form such data as may be necessary for actuarial valuations of the assets and liabilities of the Plan. The Retirement Committee shall prepare annually for submission to the employer a report giving a summary of the assets and liabilities of the Plan and a brief account of the operation of the Plan for the past year, and any further information which may be required.

a. The funds of the plan shall be held by Synod's Treasurer and shall be managed by Synod's Board of Trustees for Trust Funds. Said Treasurer and Board of Trustees shall have such powers as to investment or reinvestment, control, and disbursement of the funds as shall be in accordance with the Plan and with Synod's rules governing the investment of Trust Funds. All contributions by the employers and the income thereof, without distinction between principal and interest, shall be held and administered as a single trust fund, and the Treasurer and Board of Trustees shall not be required to segregate or invest separately any contribution by any employer.

b. The Treasurer and the Board of Trustees may retain in cash or cash balances and keep unproductive of income such amount of the trust fund as they and the Retirement Committee shall deem advisable, having regard for the cash requirements of the Plan.

c. The Retirement Committee shall determine the manner in which the funds of the Plan shall be disbursed for retirement payments, including the form of voucher or warrant to be used in making disbursements, the authority for the payment, and the due qualification of persons authorized to approve and sign the same.

d. The Treasurer and the Board of Trustees shall keep accurate and detailed records of their administration of the trust and shall file annually with the Retirement Committee a written statement summarizing all transactions of the fund during the previous calendar year and a description of all securities and other assets and all liabilities of the fund as of the end of such calendar year. Such statement, or a summary thereof, shall be included in the annual report of the Retirement Committee.

e. The Treasurer and the Board of Trustees shall be entitled to rely on the terms of the Plan as herein set forth or as subsequently amended by the Board of Directors of Synod. Any such amendments or any instruction of the Retirement Committee as herein provided for shall be delivered to the Treasurer and the Board of Trustees in writing, signed by or in the name of the Board of Directors or the Retirement Committee.

f. The Treasurer and the Board of Trustees shall not be responsible for the adequacy of the trust

fund to meet and discharge any and all payments and liabilities under the Plan; and shall not be responsible for the performance, administration, and carrying out of the Plan by the employers or by the Retirement Committee; and shall have no obligations or duties except as expressly stated in the Plan or in any subsequent amendments thereto. All persons dealing with the Treasurer or the Board of Trustees are released from inquiry into the decision or authority of the Treasurer or the Board of Trustees to act.

10.89 Change or Termination of the Plan

a. Synod and its agencies intend to continue the Plan indefinitely, and to make contributions in accordance with Section 10.83 hereof, but necessarily reserve the right to change, suspend, or discontinue the contributions or to change the benefits, or to change, modify, or terminate the Plan at any time should future conditions warrant such action, provided, however, that the employers shall have no power to amend this Plan in such manner as would cause or permit any part of the corpus or income of the Trust to be diverted to purposes other than for the exclusive advantage of Participants or as would cause or permit any portion of the assets of the Trust to revert to, or to become the property of, Synod or any of its agencies.

b. Should contributions be reduced, suspended, or discontinued by action of Synod or otherwise, below those deemed sufficient under the Provisions of Section 10.83 hereof, by the Retirement Committee upon the advice of a competent actuary, all retirement benefits under the Plan shall be reduced to such amounts as an actuarial valuation shall indicate that the contributions theretofore made together with the future reduced contributions, if any, will provide.

c. Should the Plan be terminated in its entirety by Synod through appropriate action, such termination will become effective immediately upon receipt by the Trustees of written notice of such termination executed by the President and the Secretary of Synod.

The Trustees shall thereafter dispose of the Fund in accordance with the written instructions of the Retirement Committee as follows:

(1) First, provision shall be made for the full payment of retirement benefits to Retired Participants.

pants and their Beneficiaries (subject to the limitations set forth in paragraph a. of Section 10.91 hereof) either by continuing the Trust or at the discretion of the Retirement Committee by the purchase of single premium life annuity contracts. If available assets are insufficient to provide the full benefits, such benefits shall be prorated in the ratio of the available assets to the actuarial reserves for the full benefits if the Trust be continued or to the cost of the full benefits if annuities are purchased.

(2) *Second*, any remaining assets shall be prorated among the active Participants on the basis of the actuarial reserves for their accrued benefits, respectively, and paid in a lump sum or at the discretion of the Retirement Committee used to purchase single premium annuities deferred to normal retirement age.

(3) *Third*, the balance, if any, after satisfaction of all liabilities for accrued benefits for all Participants and Beneficiaries and the satisfaction of all other liabilities, shall be returned to the employers.

10.91 Conditions on Payments in Case of Complete or Partial Termination of the Plan

a. Notwithstanding any other provision of this Plan,

(1) In the event this Plan shall be terminated at any time within the first ten years after the establishment of the Plan (excluding years in which the full current cost is not paid into the Trust by Synod or any of its agencies), no benefits shall be paid in accordance with the Plan to any Participant (including Retired Participants) in excess of the benefits which can be provided at the time this limitation becomes effective from the greater of the following:

a (1.1) The sum of \$20,000, or

a (1.2) An amount computed by multiplying (a) 20% of the average annual compensation of the Participant during the five years preceding such date, or (b) \$10,000, whichever is the lesser, by the number of years elapsing after January 1, 1948, or

(2) In the event the unfunded actuarial requirement at the end of any year prior to January 1, 1958, shall exceed the unfunded actuarial requirement as of January 1, 1948, no benefit shall be paid thereafter to any Participant (including Retired Participants) in excess of the amounts that would

have been payable if the Plan had been terminated at that time, unless and until the unfunded actuarial requirement is subsequently reduced below the unfunded actuarial requirement as of January 1, 1948.

b. All benefits herein provided for shall be payable out of, and only out of, the assets in the Trust. So long as the actuarial requirements of the Plan (that is, the cost, computed on an actuarial basis, of providing the contemplated benefits applicable to services previously rendered) do not exceed the net assets in the Trust by more than the amount of unfunded actuarial requirement as of January 1, 1948, all benefits shall be paid in full as hereinabove provided. If, however, and notwithstanding any provision hereof, expressed or implied, to the contrary, the actuarial requirements of the Plan as of December 31 of any year exceed the assets in the Trust by more than the amount of the unfunded actuarial requirement as of January 1, 1948, all monthly payments due and payable during the next succeeding year under, and in accordance with, the provisions of the Plan, shall be reduced to the following percentage of such benefits, the percentage obtained by dividing the sum of the net assets in the Trust as of such date plus an amount equal to the unfunded actuarial requirement as of January 1, 1948, by the actuarial requirement of the Plan as of such date.

10.93 Miscellaneous

a. The establishment of the Plan shall not be construed as conferring any legal rights upon any employee or any person for a continuation of employment, nor shall it interfere with the rights of the employer to discharge any employee and to treat him without regard to the effect which such treatment might have upon him as a Participant of the Plan.

b. No benefit hereunder shall be subject in any manner to participation, alienation, sale, transfer, assignment, pledge, encumbrance, or charge.

c. Notwithstanding the provisions herein for the monthly payment of benefits, such retirement income or pensions will be payable quarterly, semi-annually, annually, or in a lump sum at retirement in adjusted amounts as the Retirement Committee may determine if the amount of the benefit is less than \$10 per month.

A. CONCORDIA PUBLISHING HOUSE

11.01 Incorporation

Concordia Publishing House shall be maintained and controlled by Synod as a separate corporate entity organized under the laws of the State of Missouri, and shall be operated by a separate Board of Directors, responsible to Synod, in accordance with the provisions of its corporate Charter and By-Laws.

11.03 The Board of Directors

a. Personnel. The Board of Directors of Concordia Publishing House shall be composed of the Treasurer of Synod and seven elective members, consisting of one pastor, one parish school teacher, and five laymen. No person shall be elected as a member of the Board who has business connections with the Publishing House.

b. Election and Term. The elective members of the Board shall be elected at the triennial convention of Synod for terms of six years. The terms of three members shall alternate with the terms of the remaining four members.

c. Vacancies. Vacancies occurring in the said Board of Directors between regular meetings of Synod by resignation, death, or otherwise shall be filled for the unexpired term by the remaining members of the Board of Directors of Concordia Publishing House, with the consent of the President of Synod.

d. Meetings of Directors. Regular meetings of the Board of Directors shall be held on the fourth Thursday in each month, at the office of the corporation, or at such other time and place as the Board of Directors shall by resolution adopt.

Special meetings may be called by the President, the General Manager, or any two Directors, by giving two days' notice to each Director. A majority of the Directors shall constitute a quorum; but if at any meeting of the Board there be less than a quorum present, a majority of those present may adjourn the meeting from time to time. Unless otherwise indicated in the notice thereof, any and all business may be transacted at a special meeting. At any meeting at which every Director shall be present, even though without notice, any business may be transacted.

The annual meeting of the Board of Directors, for the election of officers and the transaction of such other business as may come before the meeting, shall be held on the fourth Thursday in June, at eight o'clock P. M., at the office of the company.

e. Power of Board of Directors. The Board of Directors shall be responsible and accountable to Synod in all things and shall have control of the business and affairs of this corporation solely for its benefit and shall exercise all the powers that may be exercised or performed by the corporation under the Statutes of the State of Missouri, the Articles of Agreement, and these By-Laws.

f. Compensation of Directors. Directors shall receive no salary or compensation for their services as Directors of this corporation.

g. Removal of Directors. The Board of Directors, by and with the consent of the President of Synod, shall have power by a majority vote, at a special meeting called for that purpose, to remove any Director or Officer from office, for cause.

h. Resignation of Directors. Any Director or member of any committee may resign at any time. Such resignation shall be made in writing, and shall take effect from the date of its acceptance.

i. Order of Business. At meetings of the Board of Directors, business shall be transacted in such order as, from time to time, the Board may determine, by resolution. At all meetings of the Board of Directors the President, or, in his absence, the Vice-President, or, in the absence of both of these officers, a member of the Board to be selected by the members present, shall preside. The Secretary of the corporation shall act as Secretary at all meetings of the Board; and in case of his absence, the Chairman of the meeting may designate any person to act as Secretary.

11.05 Officers

a. Election of Officers. The Board of Directors shall elect a President, a Vice-President, a Secretary from among its members; and a Treasurer and such other officers as may be necessary from time to time.

b. President. The President shall preside at all meetings of the Board of Directors. He shall be the chief executive officer; and, as such, shall have power, with the consent of the Board of Directors,

to sign and execute all contracts and all instruments of conveyances in the name of the corporation.

c. Vice-President. The Vice-President shall have such powers and perform such duties as may be delegated to him by the Board of Directors. In the absence or disability of the President, the Vice-President may perform the duties and exercise the power of the President.

d. Secretary. The Secretary shall keep a record of the minutes of all meetings of the Board of Directors; which minutes shall be promptly entered in a book provided for that purpose and duly attested by his signature. The Secretary shall also give notice, as required by these By-Laws, of all meetings. He shall have custody of all books, records, and papers of the company, except such as shall be in charge of the Treasurer, or some other person authorized to have custody and possession thereof by a resolution of the Board of Directors. The Secretary shall also sign, with the President or Vice-President, in the name of the corporation, all contracts and all instruments of conveyances authorized by the Board of Directors; and when so ordered by the Board of Directors, he shall affix the seal of the corporation thereto. In general, he shall perform all the duties incident to the office of the Secretary, subject to the control of the Board of Directors.

e. Treasurer. The Treasurer shall keep account of all moneys of the corporation received and disbursed, and shall deposit all moneys and valuables in the name and to the credit of the corporation in such bank and depositories as the Board of Directors shall designate.

f. General Manager. The Board of Directors shall, by and with the consent of the President of Synod, engage or dismiss the General Manager of the corporation. The General Manager shall have general supervision of the business of the corporation, subject to the rules and regulations of the Board of Directors. He shall not, during his employment with this corporation, be engaged in any other business, or be employed by any other person, firm, or corporation. The General Manager shall engage and dismiss all the necessary help; but in the employment and dismissal of heads of departments, and junior executives, such appointments and dismissals must be approved by the Board of Directors. All salaries, including that of the man-

agent, shall be fixed by the Board of Directors. A monthly report shall be submitted by the General Manager at each regular meeting of the Board of Directors, showing operations of the previous month and the then existing financial condition of the corporation.

g. Assistant Managers. Whenever the Board of Directors shall deem it necessary, it may, with the consent of the President of Synod, engage and dismiss one or more Assistant Managers. The Board shall also prescribe the duties and fix the salary of the said Assistant Manager or Managers.

h. Compensation of Officers. The President, Vice-President, Secretary, and Treasurer of this corporation shall receive no salary or compensation for their services.

11.07 Seal

The corporate seal of the corporation shall be a circular seal with the name of the corporation and St. Louis, Missouri, around the border and the word "Incorporated" in the center.

11.09 Waiver of Notice

Whenever, under the provision of these By-Laws or the laws of the State of Missouri, the Board of Directors is authorized to take any action after notice or after lapse of a prescribed period of time, such action may be taken without notice and without the lapse of any period of time, if such action be authorized and approved and the requirements waived in writing by each member entitled to notice. Such authorization or approval and such waiver shall be filed with the Secretary of the Corporation.

11.11 Committees

The Board of Directors may, by resolution passed by a majority of the total number of Directors, designate one or more committees, each such committee to consist of two (2) or more of the Directors of the corporation. Such committee or committees shall have such powers and names as may be determined, from time to time, by resolution adopted by the Board of Directors, in the management of the business and affairs of the corporation. The Board of Directors shall have power at any time to fill vacancies in, to change the membership of, or to dissolve, any such committee.

The fiscal year of this corporation shall begin on the first day of May in each year.

11.15 Surplus Funds

Surplus funds, when not needed in the operation of the Publishing House, may be ordered paid to Synod by the Board of Directors at any regular or special meeting.

Such surplus funds, income, increase, issues, rents, or accruals of every kind and nature whatsoever and any and all of the property of the corporation shall in no wise, or in any manner, inure to, or be used for the benefit of, any private person or persons, or any officer, director, employee or agent of this corporation; but the same shall be used wholly and solely for the exclusive use and behoof of The Lutheran Church — Missouri Synod.

11.17 Bond of Officers

The Board of Directors may, by resolution, require any and all officers and employees of the corporation to give bond to the corporation with sufficient sureties, conditioned for the faithful performance of the duties of their respective offices and such other conditions as may from time to time be required by the Board of Directors.

11.19 Bonds or Mortgages

No bond of the corporation nor any mortgage upon any of the property of this corporation shall be created or issued without the consent, in writing, of the President of Synod.

11.21 Credit Policy

The Board of Directors shall have sole power and authority to dictate the credit policy of the corporation. This authority shall include the power to designate the persons to whom credit should or should not be extended, the amount of such credit, and the terms of payment. In the event of failure or refusal of pastors, teachers, congregations, or any other person or organization to pay such indebtedness incurred, the Board of Directors shall report such delinquencies to the respective District Presidents for necessary action in accordance with Christian principles and practice.

a. The Board of Directors shall determine what shall be published by the corporation, unless otherwise instructed by Synod. All manuscripts of a religious or theological nature shall have the approval of the faculty of Concordia Seminary at St. Louis, Missouri, before publication.

b. The Board of Directors shall be represented at the triennial convention of Synod by two (2) of its members; at which convention also a written report of the financial condition and operation of the business of the corporation for the three-year periods shall be submitted.

c. A copy of either *Der Lutheraner* or *The Lutheran Witness* shall be furnished, free of charge, to all retired pastors, professors, and teachers in Synod, at the expense of Synod.

d. The Publishing House shall furnish a sufficient number of copies of the periodicals published by Synod for the reading rooms of Synod's educational institutions at the expense of Synod. The Presidents of the institutions shall determine the kind and number required of such publications.

e. The Publishing House shall furnish to the Secretary of Synod for deposit in Synod's archives two copies of the *Statistical Yearbook* and of all proceedings printed by it of Synod and of the several Districts.

f. The Publishing House shall mail a printed copy of the official proceedings of the synodical conventions and of the *Statistical Yearbook* to every pastor of Synod for the information and use of the pastor and the members of his charge, at the expense of Synod.

g. Concordia Publishing House shall not send circulars referring to internal matters of Synod and issued by officials of Synod to the congregations of Synod unless the President of Synod has given his consent.

h. *The Lutheran Witness* and *Der Lutheraner* shall be the official organs of Synod and shall be under the editorship of the Faculty of the St. Louis Seminary. The Faculty together with the President and the Vice-Presidents of Synod shall appoint, or may terminate the appointment of, the editors or editorial committee.

i. Synod is responsible for every doctrinal statement made in its official organs. If any statement be made therein deviating from the Word of God

and the Confessions of our Church, every member of Synod perceiving such error shall bring it to the attention of the responsible editors and insist upon the necessary correction.

B. LITERATURE BOARD

11.41 Personnel and Appointment

The Literature Board shall consist of five members, who shall be appointed by the President of Synod in conjunction with the Vice-Presidents and in consultation with the Manager of Concordia Publishing House. The majority shall be theologically trained. All shall have a sound judgment in literary matters, shall have a college education or its equivalent, and shall have practical experience in their respective callings.

11.43 Advisory Members

a. The Manager of Concordia Publishing House shall attend the meetings of the Literature Board as advisory member.

b. The Board may appoint experts to examine manuscripts pertaining to specialties, such as music or textbooks, which experts shall report their findings to the Board and shall act as advisory members of the Board in the matter submitted to them.

11.45 Meetings

The Literature Board shall meet at least ten times a year.

11.47 Duties of Secretary

The Secretary of the Literature Board shall perform the regular duties of a secretary. He shall send copies of all minutes to the President and Vice-Presidents of Synod.

11.49 Functions of Board

The functions of the Literature Board shall be advisory to the Board of Directors of Concordia Publishing House. The latter Board, which may also initiate publications, shall determine whether or not to publish any material recommended by the Literature Board, as well as the manner and style of publication. Should these two boards fail to agree in such a matter, the President of Synod shall act as arbiter. Books, periodicals, official church papers, tracts, circulars, etc., published on the order

or in behalf of synodical boards or officers, do not come under the jurisdiction of the Literature Board, but under the censorship of the St. Louis Faculty as far as doctrinal contents are concerned.

11.51 Duties

The Literature Board shall study the needs of the Lutheran Church, particularly of Synod, to determine what literature may be required, and also select authors to undertake literary tasks; but the formal commission to write books shall be issued by Concordia Publishing House, not by the Literature Board.

All manuscripts shall be critically examined by the Board to determine their literary value, timeliness, and expediency. The censorship as to doctrine shall be exercised by the Faculty of Concordia Seminary at St. Louis. The Literature Board shall submit a written report to each convention of Synod.

11.53 Expenses

Concordia Publishing House shall bear the expense of the Literature Board.

C. YOUNG PEOPLE'S LITERATURE BOARD

11.61 Personnel and Appointment

The Young People's Literature Board shall consist of five members, to be appointed by the President of Synod in conjunction with the Vice-Presidents and in consultation with the Manager of Concordia Publishing House. The Board shall have authority to appoint advisory members.

11.63 Chairman

The Chairman of the Board shall be a member of the theological Faculty at St. Louis.

11.65 Duties

a. The Young People's Literature Board, in co-operation with the Board for Young People's Work, shall select good books from extant literature and provide new literature.

b. The Young People's Literature Board shall submit to Concordia Publishing House for eventual sale or publication all books selected and revised and manuscripts approved by it. Censorship as to doctrine shall be exercised by the Faculty of Concordia Seminary at St. Louis.

The editors of our official papers, when requested by the Young People's Literature Board, shall publish reading lists as space permits.

Pastors and teachers are urged to call the attention of their members to these reading lists and the Concordia Publishing House Catalog. Whenever new books are purchased for church, young people's, Sunday-school, and day-school libraries, the catalog should be used as a guide.

11.69 Expenses of Board

The expenses of the Young People's Literature Board shall be paid by Concordia Publishing House.

XII. PUBLICITY

A. DEPARTMENT OF PUBLIC RELATIONS

12.01 Personnel and Appointment

The Department of Public Relations shall be administered by a board of seven members, three pastors, three laymen, and one member of the faculty of one of our teachers' colleges. This board shall be appointed triennially by the Board of Directors, in consultation with the President together with the Vice-Presidents.

12.03 Functions and Duties

- a. The Board shall correlate the work of the District Press Committees and otherwise provide for the dissemination of news through press and radio;
- b. present the Lutheran viewpoint on issues of the day;
- c. answer attacks against our Church;
- d. keep abreast of legislative developments with a view to preserving our constitutional guarantees of the separation of Church and State and maintain contact with the State Department in the interest of Synod's missionary and educational program.

12.05 Executive Secretary

An Executive Secretary shall be appointed by the Board of Public Relations, subject to the approval of the Board of Directors. He shall be Synod's Director of Public Relations. He may be released from office by the Board of Public Relations, with the consent of the Board of Directors.

The Board shall establish and maintain an office for its Executive Secretary in one of the nation's principal cities to be determined by the Board in consultation with the Board of Directors.

12.09 Budget

The Board shall annually submit a budget to the Board of Directors of Synod for recommendation and for reference to the Fiscal Conference, which shall allocate ample funds for the establishment of the Department.

B. RADIO

12.11 Control of KFUO

Station KFUO shall be controlled by the Board of Control of Concordia Seminary, St. Louis, acting through a Radio Committee appointed by the Board of Control.

12.13 Radio Committee

a. A Radio Committee shall be appointed by the President of Synod in conjunction with the Vice-Presidents.

b. The Radio Committee shall make surveys, act as clearinghouse for information, contact stations and chains, advise, and otherwise assist individuals and groups requesting such aid.

c. The Radio Committee shall be consulted by all other boards or committees planning radio activity, if such activity is directly supported by synodical funds.

XIII. MISCELLANEOUS

13.01 Synod's Position Concerning Lodges

a. Synod is firmly opposed to lodges or societies of an unchristian or anti-Christian character.

b. It is the solemn, sacred, and God-given duty of every pastor properly to instruct his people on the sinfulness of such lodges as deny the Holy Trinity, the deity of Christ, the Vicarious Atonement, and other Scriptural doctrines, and to induce his congregation(s) to take action against all members who after thorough instruction refuse to leave such a lodge.

c. It is the duty of every fellow Christian, fellow pastor, and especially of the officials of Synod, to

admonish all pastors who neglect their duty in this respect; and if Christian admonition has been administered in the spirit of Matthew 18 without the proper results, the officials of Synod shall bring such cases to the attention of the respective District for further action.

d. Synod instructs its officers to exercise vigilant care and urges all pastors and congregations to admonish such congregations and pastors as permit the "lodge evil" to exist in their churches without countertestimony and decisive action. If after due investigation it becomes evident that such congregations and pastors refuse to change their attitude and practice, they shall be suspended and eventually expelled from Synod.

e. Synod earnestly requests the various Districts to carry out these provisions and faithfully to assist their congregations in eradicating the lodge evil.

f. Synod maintains a Lodge Information Bureau to furnish information, advice, and literature concerning lodges. This bureau shall consist of three members who shall be appointed by the President in conjunction with the Vice-Presidents.

g. It is, and shall be, the practice in Synod not to administer Holy Communion to members of such lodges.

h. A conscientious pastor may in cases which present unusual features, rendering their classification difficult, administer Holy Communion to a person who is still outwardly connected with such a lodge. But in such a case the pastor shall earnestly beware of procrastinating and giving offense, and to this end he shall freely and conscientiously consult with his church council and congregation, his brethren in the ministry, and with the officials of Synod, as the case may require.

XIV. AMENDMENTS TO BY-LAWS

14.01 How Made

Changes in the By-Laws and additions thereto may be made, provided they (1) are not contrary to the Constitution, (2) are presented in writing to Synod, (3) are separately considered and acted upon, and (4) are passed by a majority of the voting representatives.

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